APPENDIX M
RESPONSE TO COMMENTS[1] RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

[1] Note: The Content Analysis Report and individual comment letters received for this project have been filed in the project file and are available to the public upon request.

SECTION 1 - PROPOSED ACTION

GENERAL OPPOSITION/SUPPORT FOR PROJECT IMPLEMENTATION

1. THE NEZ PERCE NATIONAL FOREST SHOULD IMPLEMENT THE AMERICAN AND CROOKED RIVER PROJECT.

A. *The plan for extensive thinning makes excellent sense, and I can find no good arguments against the amount of roadside salvage being planned here. If the temporary roads are indeed temporary, and are, as described in the mitigation language, in reality kept free of ATV use, then I would have to conclude that the road and road management package is logical. (Individual, Moscow, ID - #6.4.20000.410)*

RESPONSE: Comment acknowledged

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B. **BECAUSE THE PROJECT IS OF BENEFIT TO ELK CITY'S FIRE SAFETY, LOCALECONOMY AND ELK HERDS**

The concerned Sportsmen of Idaho, INC., (CSI) supports the referenced project as being professionally organized and of benefit to Elk City's fire safety, the local economy, and elk herds in the area. (Recreation/Conservation Organization, Viola, ID - #2.1.20000.002)

RESPONSE: Comment acknowledged

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C. **BECAUSE THE PROJECT WOULD HELP TO UNDO THE NEGLECT OF OUR FOREST LANDS**

We are afraid too little has been done to late (like 25 years) to help our area. Let's get the American/Crooked project and Red River out as soon as possible to help undo this neglect of our forest lands. (Individual, Elk City, ID - #14.3.20000.205)

RESPONSE: Comment acknowledged

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D. **BECAUSE OPPOSITION TO THIS PROJECT IS BASED ON FALSE INFORMATION REGARDING FISH AND SEDIMENT**

I fully approve of this project, although I feel it is too little to late. The fact that this worthy project has been delayed for 20 years is caused by false information regarding fish and sediment. Anyone caring to read the facts should study the early history of the South Fork and its tributaries, which will show that from 1862 to 1940, a period of heaviest mining, where millions of tons of earth were discharged into the headwaters, the fish numbers remained the highest ever recorded. (Individual, Grangeville, ID - #18.2.20000.210)

RESPONSE: Comment acknowledged

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E. BECAUSE WHAT IS BEING PLANNED IS WELL SUITED TO THE HABITAT AND SOIL TYPES OF THE PROJECT AREAS

The real test of a forest decision like this one, especially when plenty of tree cutting and some (temporary) road building is planned, is the issue of suitability. In this case, I think that you have demonstrated that what is being planned is, in fact, suited to the habitat and soil types. This whole piece of the country is not too steep, and it gets plenty of moisture. It is also not prone to the catastrophic mass failures and erosion patterns that exist just a little to the east near and south of Anderson Butte. (Individual, Moscow, ID - #6.3.20000.230)

RESPONSE: Comment acknowledged

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F. BECAUSE OF MOUNTAIN PINE BEETLE INFESTATIONS

The RAC (Resource Advisory Committee- North Central Idaho) appreciates the opportunity to comment on the American and Crooked River Project. It is the type of project that is needed in the Elk City area in response to the ongoing mountain pine beetle epidemic. Please keep the RAC informed as the planning progresses and the project is implemented. If the RAC can help with any aspect of implementation, please let us know. (Place Based Group, Lewiston, ID - #3.9.20000.373)

I fully approve of this project, although I feel it is too little to late. It is sad to think of the millions of feet of timber wasted by the delay of this project and the negative effect it has had on Idaho County's economy. We need to have 20 of these projects going at this time to curb the bug infestations. At one time, this beetle problem could have easily been controlled, prior to 1984, when the infested area was small, along the Darby road. Now it has spread in all directions, south to Mallard Cr. Ranches where 50% of the trees on our property were killed last year. (Individual, Grangeville, ID - #18.1.20000.373)

RESPONSE: Comment acknowledged

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2. THE NEZ PERCE NATIONAL FOREST SHOULD IMPLEMENT THIS PROJECT PROMPTLY.

A. GIVEN DECLINING FOREST CONDITIONS AND INCREASED RISK OF FIRE

With the continuing decline in forest conditions, and the resulting increased risk of a damaging catastrophic fire, we encourage you to proceed rapidly with the completion of the project design, contract advertisement and awards, and implementation on the ground. (Timber/Wood Products Industry, Kamiah, ID - #5.20.12300.330)

RESPONSE: Comment acknowledged. We will proceed as rapidly as possible.

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3. THE NEZ PERCE NATIONAL FOREST SHOULD CONTINUE TO DEMONSTRATE COMMITMENT TO GOOD SCIENCE AND PUBLIC PARTICIPATION.

A. *The process used to date to develop these projects and the DEIS is, in my mind, one of the best that I have ever seen. There was full and frequent public disclosure and a genuine sense of communication and openness. As a result, not only has the proposed decision been improved, but a good model of how to better do business has also been developed. (Individual, Moscow, ID - #6.1.20000.060)*

RESPONSE: Comment acknowledged.

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B. BY CLARIFYING HOW THE PROGRAM WILL SOLVE EXISTING WATER QUALITY PROBLEMS

The Nez Perce National Forest has proposed here a plan that strikes me as being thoughtful and based on good science. The important test of suitability has been met, but the commitment to some serious fixes for existing water quality problems needs a whole lot of clarification. The forest should also be proud of its methodology, both in the scientific aspects of the plan, and also in how it has worked with citizens in the preparation of this proposal. (Individual, Moscow, ID - #6.9.10000.246)

RESPONSE: Comment acknowledged

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4. THE NEZ PERCE NATIONAL FOREST SHOULD ACTIVELY MANAGE THE FORESTS.

The National Forests inevitably degenerate from neglect and mismanagement, becoming overgrown, bug-infested and disease-ridden, dead and dying. They become tinderboxes, a starting point for the kind of wildfire that will ravage the west's homes, and work places are destroyed. The hillsides and valleys of our clean, vital watersheds are blackened and denuded. Habitat supporting Idaho's rich diverse wildlife populations and protecting our fragile salmon and steelhead runs are befouled and laid to waste. Lives are lost. Let's try to undo this damage of neglect and mismanagement, and leave a legacy for future generations that hope to live, work, recreate and raise families in and around healthy productive and sustainable forests. (Individual, Elk City, ID - #14.2.30000.002)

The Forest Service has been doing a great disservice to the forest since I can remember. What's the matter with you guys? Mismanagement of resources is now an American tradition - nothing to be proud of. (Individual, Ukiah, CA - #13.1.30000.203)

RESPONSE: Comments acknowledged

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5. THE NEZ PERCE NATIONAL FOREST SHOULD BE ALLOWED TO ASSERT AUTHORITY TO MANAGE.

BECAUSE LAWSUITS HAVE INHIBITED MANAGEMENT

We have lived here 35 years and watched our Forest Land managers be forced into a state of inertia by lawsuits from outsiders calling themselves "Conservationists". (Individual, Elk City, ID - #14.1.10100.051)

RESPONSE: Comment acknowledged

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6. THE NEZ PERCE NATIONAL FOREST SHOULD DELAY THIS PROJECT UNTIL THE FOREST PLAN IS REVISED.

GIVEN CONTROVERSIAL NATURE OF DEVELOPMENT IN ROADLESS AREAS

The fact that the forest plan will be revised soon makes a strong argument for delaying this process until after completion of the forest plan revision. Such a controversial proposal that involves extensive roadless area development ought to wait for to have the benefit of a newly revised and updated forest plan. (Preservation/Conservation Organization, Moscow, ID - #22.88.12300.621)

RESPONSE:

It is important to proceed with implementation as soon as possible, due to the rapidly progressing pine beetle situation in the area. Please refer to socio/economic discussion in the FEIS, Chapter 3, Section 3.12.

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7. THE NEZ PERCE NATIONAL FOREST SHOULD NOT IMPLEMENT THE AMERICAN AND CROOKED RIVER PROJECT.

A. *I would like to register my opposition to the Crooked/American Timber sale. (Individual, Pullman, WA - #33.1.20000.001)*

Please, as a woman, perhaps you can help to turn it around. The South fork Clearwater project does not need more roads, more logging and more human greed. A natural fire is eventually good for the watershed. Arson is not. (Individual, Ukiah, CA - #13.2.20000.270)

RESPONSE:

The areas proposed for treatment are not within an area where allowing natural fires to burn (Wildland Fire Use) is permitted by the Forest Plan and/or the Fire Management Plan. As a result, all fire starts within the project area require suppression responses. By carrying out fuels treatment in strategic locations, we will be better able to safely carry out suppression tactics and protect resources such as “at risk communities”, road infrastructure, and natural resources from negative fire effects.

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B. BECAUSE THE PROPOSED PROJECT CONTRADICTS ITS OWN FOREST PLAN AND ITS RESPONSIBILITIES UNDER THE LAW

I wish to voice my strenuous opposition to the Crooked/American Timber Sale proposed for the South Fork Clearwater watershed in the Nez Perce National Forest. By proposing to build some 14 miles of new roads and log thousands of acres in the East Fork of the American River and Kirks Fork in its draft environmental impact statement, the Forest Service contradicts its own Forest Plan and its responsibilities under the law. I have been informed that your agency has refused even to analyze an alternative that does not damage watershed through logging and road building. (Individual, Delmar, NY - #28.1.23400.100)

RESPONSE:

This project is consistent with the Forest Plan and fully conforms to all applicable standards and guidelines. A restoration only alternative was considered but not analyzed in detail because it would not be responsive to the Purpose and Need of this project.

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C. BECAUSE PUBLIC PROPERTY IS NOT FOR LOGGERS

I am writing to say I greatly oppose the logging proposed in the Nez Perce National Forest. This is public property, not for loggers. It was set aside for human and animal use, as so little space is, not to make the loggers rich. (Individual, Coeur D Alene, ID - #11.1.20000.820)

RESPONSE: Comment acknowledged.

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D. BECAUSE THE PROJECT PROPOSES TO ENTER "ROADLESS" AREAS

I am not in favor of this sale! The 14 miles of newly proposed road will threaten the already sensitive watershed in an area that is already deemed "roadless". (Individual, Moscow, ID - #23.1.20000.002)

Crooked/American timber sale apparently involves 14 miles of new road construction and logging thousands of acres. I object to the project because it proposes to enter the Meadow Creek Inventoried Roadless Area, which is protected by the Roadless Rule, which the present administration is unwisely attempting to overturn. (Individual, Minneapolis, MN - #32.1.20000.160)

RESPONSE:

We have considered the sensitivities of each watershed in the project area. No part of this project involves the Meadow Creek Inventoried Roadless Area. Please refer to Section 1.1 of the FEIS and Map 1 for the project area location.

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E. BECAUSE THE PROJECT INVOLVES BUILDING NEW ROADS IN WATERSHED AREAS AND LOGGING IN ALREADY HIGHLY "MANAGED" AREAS

I am against the proposed management plan proposed for the South Fork of the Clearwater. The most disturbing points of the proposed plan include building new roads in watershed areas and potentially logging thousands of acres in an already highly "managed" area. (Individual, Moscow, ID - #10.1.20000.247)

RESPONSE: Comment acknowledged.

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F. BECAUSE THE PROPOSED PROJECT WOULD CAUSE MORE ENVIRONMENTAL DAMAGE THAN IT WOULD CORRECT

I sincerely sympathize with the problem of significant fuel loading that is claimed in the American and Crooked River systems. However, I also am deeply concerned that the proposed cure to reduce this fire risk posses more environmental damage than it corrects. This DEIS, as is typical of these documents, suggest that there may be some short term watershed degradation but promises eventual upward trend improvement in these watersheds. One has to be extremely naive not to recognize the very likelihood that these rivers may never recover from management decisions that remove a major quantity of the forest canopy. Given that you are proposing to cut over 25 MMBF (Alternative C) on approximately 2,700 acres of ground and build 15 miles of "temporary" road in watersheds that are already suffering from past activity clearly indicates to me to be very skeptical of such promises. (Individual, Post Falls, ID - #19.1.20000.247)

RESPONSE:

The Bonneville Power Administration funded research in Crooked River (Intensive Evaluation and Monitoring of Chinook Salmon and Steelhead Trout Production, Crooked River and Upper Salmon River Sites, 1995 and 1993 Annual Reports). Their work has found that in streams degraded by dredge mining, connecting off-channel ponds to the stream can increase the carrying capacity for Chinook salmon parr (Kiefer and Foster, 1991), and complex instream structures can increase the carrying capacity for steelhead trout parr (Kiefer and Lockhart, 1993). Both American River and Crooked Rivers have been dredge mined. Past instream improvement work completed by the Nez Perce Forest in Crooked River includes approximately 15,000 square meters of juvenile rearing and winter habitat through side channel construction and pond connection (P.Siddell, 1992). This work included the addition of instream structures, which accounted for 37.4 percent of the total pool habitat in the project area. The past work is obviously helping Crooked River recover from past management decisions. American River has seen similar instream work completed by the BLM.

This project will both improve on the existing in channel work and provide additional stream reaches containing complex instream structures as well as off channel rearing areas with the objective of increasing fish habitat carrying capacity and leading to an upward trend in fish/water quality (FEIS, Chapter 3, Sections 3.2, 3.3, and Appendix E).

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PURPOSE AND NEED

8. THE NEZ PERCE NATIONAL FOREST SHOULD RECOGNIZE THE FULL RANGE OF PUBLIC INTERESTS AND MAXIMIZE LONG-TERM BENEFITS.

GIVEN THE ROLE OF FORESTS IN PRESERVING QUALITY OF LIFE

The U.S. National Forest System is the greatest in the world. It is the legacy of generations that have come before us, and this present generation has the moral as well as the legal responsibility to leave it intact for future generations. As ecosystems all across the planet are placed under ever greater stresses, large intact forests will play an even greater role in preserving the earth's ability to sustain a quality of life worth living. As a citizen and tax payer, I call upon my government to protect the public interest of the many against the greed of a few powerful insiders who've shown they care little for any but themselves. (Individual, Delmar, NY - #28.10.11200.060)

RESPONSE: Comment acknowledged.

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9. THE NEZ PERCE NATIONAL FOREST SHOULD CLARIFY RELATIVE IMPORTANCE OF SOCIAL AND SCIENTIFIC GOALS AS JUSTIFICATION FOR TIMBER HARVEST.

GIVEN PAST RELUCTANCE TO HARVEST TIMBER BASED ON CUMULATIVE WATER QUALITY IMPACTS

Regardless of the current condition of the South Fork, the agency would say it is somehow out of whack and prescribe logging as the cure. The simple matter of fact is, prior to the Rey/Craig dog and pony show in Grangeville in 2003, there was no immediate plan to log these areas, likely due to concerns over cumulative impacts on water quality. The so-called reasons for logging are based upon politics, not science, and that should be made clear in the DEIS as the decision to log and build roads is a social one, not a scientific one. (Preservation/Conservation Organization, Moscow, ID - #22.56.11000.700)

RESPONSE:

Comment acknowledged. Refer to Chapter 1 of the FEIS for an explanation of the Purpose and Need of this project.

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10. THE NEZ PERCE NATIONAL FOREST SHOULD AMEND THE STATEMENT OF PURPOSE AND NEED TO MEET KEY NATIONAL, REGIONAL AND LOCAL PRIORITIES CONCERNING WATERSHED AND FISH HABITAT RESTORATION.

Use of the overly limited statement of purpose and need to formulate alternatives omits key national, regional and local priorities in terms of restoring watersheds and fisheries habitat without further ecological degradation. As we know, the upper Columbia River basin anadromous fisheries are in steep decline and their recovery is of paramount importance to the region. The Forest Service owns and manages most

of the headwaters of the Clearwater River which is critical spawning grounds for native and anadromous fish.

The Forest Service holds a grave responsibility to the Columbia River Tribes, and to all citizens, to do its utmost to improve spawning habitat. The federal government, including the Forest Service, has a legal and moral obligation to do all it can to reverse this trend to meet treaty rights and environmental laws. When fish stocks are at such critical lows, it is the federal government's responsibility to not only minimize the habitat degradation - but also to maximize restoration.

In fact, this is the policy adopted by the government in the salmon recovery strategy (All-H paper) and in the NMFS biological opinion. The government chose not to remove the lower 4 Snake River dams at this time and instead focused on habitat. Status quo is insufficient. (Preservation/Conservation Organization, Moscow, ID - #22.15.32300.381)

RESPONSE:

Please refer to the fish viability/population trend analysis in Chapter 3 of the FEIS. We agree that the status quo is not an option and this project was designed to meet the Forest Plan objective of improving fish/water quality in streams that are below their objective. Restoration activities are included for all watersheds within the project area. The BLM has taken the lead for mainstem fish habitat improvements in American River and will continue their work under proposals currently being planned (FEIS, Chapter 3). The American and Crooked River Project includes instream work in Crooked River and Relief Creek (23.8 mi). This work will modify and improve the work done by the Forest Service in 1984-1988. Additional reaches will be enhanced as well using the best available science and restoration techniques. Along with the instream improvements will be road decommissioning, soil restoration and culvert removal and replacements, all designed to improve fish habitat and water quality in these important streams. Refer to FEIS, Appendix D for more information.

In addition, the Nez Perce National Forest has pursued an active and ongoing dialogue with the Nez Perce Tribe at key points during the development of this proposed project. Additionally, their advice and input has been sought at all phases and is continually being incorporated into this document. Refer to the Responses to Comments from Nez Perce Tribe, which immediately following the responses to public comments.

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11. THE NEZ PERCE NATIONAL FOREST SHOULD BALANCE THE PROJECTS STATED PURPOSE AND NEED WITH OTHER MANDATES IN THE FOREST PLAN REGARDING WATERSHED AND SPECIES PROTECTION.

The project's stated purpose, to recover economic value and contribute to the economic and social well being of local communities, needs to be balanced with other mandates in the Forest Plan regarding watershed and species protection. Continuing shortsighted logging and road construction in this heavily impacted area will only exacerbate water quality and wildlife habitat problems. Unfortunately, this project is based on short-term economics with disastrous ecological consequences,

which will negatively affect the region's long-term economy. (Preservation/Conservation Organization, Boise, ID - #15.9.20000.700)

RESPONSE:

We strongly disagree with your conclusion/prediction that there will be disastrous ecological consequences. Please refer to the response to # 10, above. The above-mentioned restoration work will also contribute to the economic and social well being of the local communities both in the short term and in the long term.

With respect to wildlife species, the project actually will modestly improve habitats for some species (elk, wolves), and may serve to reduce future risks losses of some old growth stands in near adjacency to treatment units. In all, none of the activities would result in adverse effects to any terrestrial federally listed species or their habitats. Refer to the Biological Assessment for FEIS for details.

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12. THE NEZ PERCE NATIONAL FOREST SHOULD CLARIFY REASONS FOR MANAGEMENT ACTIVITIES.

BECAUSE RISK OF FIRE IS BEING FALSELY USED AS JUSTIFICATION FOR TIMBER HARVEST

I think that our present federal administration is using the public's general belief that forest fires are bad, to try to push through road building and timber cutting to "save" the forests. (Individual, Loveland, CO - #12.1.10100.720)

RESPONSE: Comment acknowledged.

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13. THE NEZ PERCE NATIONAL FOREST SHOULD BE HONEST ABOUT WHY THEY ARE LOGGING.

BECAUSE OF ECONOMIC REASONS FOR ELK CITY

I have asked many questions in this comment letter. Perhaps many are rhetorical. I firmly believe that this large timber sale is being proposed to feed logs to a certain mill near Elk City. By selling this sale, the PR of the Forest Service will be heightened in the small town of Elk City where the mill is located. There is little doubt in my mind that log acquisition this is clearly the primary purpose and need for this logging proposal. (Individual, Grangeville, ID - #30.9.34000.720)

RESPONSE: Comment acknowledged

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14. THE NEZ PERCE NATIONAL FOREST SHOULD NOT FALSIFY THE PURPOSE AND NEED IN THE DEIS IN ORDER TO MAKE A PROJECT APPEAR MORE LEGITIMATE AND ACCEPTABLE.

The way the purpose and need is written up in the DEIS, jobs and community stability is shown as the 3 rd reason for the project in kind of an "oh by the way" content. Job creation and community stability are actually shown as a secondary benefit of the project to remove the fuels. You cannot have two co-purpose and needs (fuels reduction and job creation) that are so different in their objectives. As I said earlier, one is the purpose and need for the project, and the other is a secondary outcome from implementing the project. You would be violating the NEPA to call them both your primary purpose and need. I will remind you that falsifying a NEPA purpose and need in order to make a project appear more legitimate and acceptable to the public is a clear violation of the NEPA. (Individual, Grangeville, ID - #30.10.20000.131)

The majority of units being ground-skidded and machine piled, gives the clear impression that the primary objective of the project is to maximize net economic return. It should be noted that this is not one of the stated objectives in the Purpose and Need section. (Preservation/Conservation Organization, Boise, ID - #15.121.20000.720)

If the Forest Service is selling the timber sale to help a small, local mill, why can't the Forest Service tell the truth and insert this as the primary purpose and need? I am quite certain that is the mill is in as much trouble as I have heard, the Forest Service could easily justify a timber sale for "jobs and community stability" near Elk City. (Individual, Grangeville, ID - #30.12.20000.820)

RESPONSE:

The purpose and need statement is balanced, clear, and consistent throughout the development of this project. It is appropriate for conditions within the project area and follows the Forest Plan and addresses issued raised during scoping.

One purpose of the project is to reduce current and future fuel loads within the watersheds which are being affected by the mountain pine beetle; it is not designed to solely reduce the risk of catastrophic wildfire to Elk City. The proposed treatments would modify fire behavior by lowering fire intensities for fires occurring in the treatment areas, which would help to protect resource values of all types within the watershed such as; water quality, wildlife habitat, old growth, recreation opportunities, and air quality as well as infrastructure investments such as roads, bridges, campgrounds, etc. The result of having lower fire intensities would give fire suppression resources the opportunity to utilize the treatment areas during suppression activities, which would allow for the control of a fire at a smaller size, less cost, and less resource loss within the watersheds.

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PROCESS AND IMPLEMENTATION CONSIDERATIONS

15. THE FINAL EIS SHOULD PROVIDE ADDITIONAL JUSTIFICATION FOR QUESTIONABLE TIMBER HARVESTS AND ROAD CONSTRUCTION IN THE AMERICAN RIVER WATERSHED.

GIVEN RELATIVELY LOW FIRE REGIME AND POTENTIAL FOR ENVIRONMENTAL IMPACTS FROM HARVESTS IN THE AMERICAN RIVER AREA

In looking at the sections of the DEIS addressing fire (3.4. Indicator 1-Fire Regime) you show Table 3.37 Fire Regime Acreage in the Project Area. Reviewing this information plus your Fire Regime maps 9A, 9B, 10A and 10B raises a big question. That question is why are you doing the extensive logging in the American River as its Fire Regime is almost entirely comprised of either of Infrequent, Mixed or Infrequent to Very Infrequent, Lethal? The maps (not map 5 you refer to) corroborate this classification although the maps describe each classification somewhat differently. In any event, it seems the American River water shed is very different than the Crooked River system in terms of fire risk. Fire ignitions between every 75 to 300 years in the American River do not suggest to me that this water shed is faced with any more of a fire risk than countless other public lands that are reasonably in a state of balance in terms of types of fuel and its risk of catastrophic fire. Obviously, even your best-conditioned lands pose as lethal fire regimes when environmental conditions are such as to place said land in jeopardy. Your data indicates about 43 percent of the project area is not threatened with frequent fire and yet your proposed logging acreage is 32 per cent from this river. Why is the Nez Perce NF advocating such extensive timber removal from an area that seems to be well within some reasonable balance regarding fuel types and fuel loading? Considering the previously discussed danger of further watershed habitat degradation, I have to question the wisdom of doing that much longing and road building in an area that does not seem to warrant such fire reduction; especially when one honestly considers the probable down side of such activity. You do not have to log over 700 acres of the American River to protect the tow of Elk City! (Individual, Post Falls, ID - #19.10.13110.277)

RESPONSE:

Fire regime is used as an indicator to demonstrate the historic patterns of fire and not as design criteria for the project. The treatment units are not based on the fire regime but are based on the need for fuels treatments in the areas of dead and dying stands of timber. While there are areas within the project area that have historic fire regimes of infrequent mixed and lethal regimes that would have historically burned with severe stand replacing fires, allowing these types of fires to burn may be socially unacceptable. If left untreated these stands of dead and dying timber will increase the fuel loading to levels where fire suppression would be extremely difficult under normal fire conditions due to increased fire behavior. With the increased fire behavior comes the increased possibility of a severe fire which may degrade resources such as water quality, habitat, air quality, etc. Additionally, by treating the stands suppression resources will have an opportunity to safely utilize the treated areas during the suppression activities due to lower fuel loadings and decreased fire behavior.

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16. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT STEWARDSHIP PRINCIPLES WHEN IMPLEMENTING RESTORATION ACTIVITIES.

A. TO ENSURE EFFICIENT USE OF TAX DOLLARS AND BENEFIT LOCAL ECONOMIES

We encourage you to be more strategic in your planning and project design with regard to reducing fire risks. This project seems to be more of the same that has already occurred in the South Fork Clearwater Watershed and would not reduce the fire risk. In order to ensure that tax dollars are wisely spent, projects should be more strategic in terms of designing them to address fire risk, while concurrently providing revenue to the U.S. Treasury and providing resource-based jobs to the local communities. (Preservation/Conservation Organization, Boise, ID - #15.108.10000.800)

RESPONSE:

Comment acknowledged. We believe this project strategically addresses fire risk while concurrently providing local employment opportunities.

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B. BECAUSE PAST STEWARDSHIP PROGRAMS REVEALED THE VALUE OF SERVICES PROVIDED

Involvement in stewardship projects has taught the Concerned Sportsmen of Idaho members the value of including additional service component, restoration activities in projects such as fish passage improvements. Please consider using the proceeds of an increased timber harvest project component to fund project service components through employment of the "goods for service" stewardship principle. (Recreation/Conservation Organization, Viola, ID - #2.3.10000.381)

CERT members have extensive experience in failed Stewardship projects on both Basin forests. The CERT believes that this project offers a golden opportunity to employ "goods for services" stewardship features to accomplish fish passage improvements and other service oriented restoration activities. (Recreation/Conservation Organization, Moscow, ID - #1.5.20000.381)

RESPONSE: See response to 16(D).

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C. BECAUSE TIMBER HARVEST GENERATES SIGNIFICANT REVENUES

The American and Crooked River Project seems to encompass the essential elements that would make an excellent stewardship proposal. Under the Stewardship authorities, receipts generated from the sale of commercial products could be retained to fund the fuel reduction and watershed improvements that have been identified as part of this project. We urge that you consider the potential benefits of stewardship contracting in the implementation of this project. (Place Based Group, Lewiston, ID - #3.8.10000.835)

RESPONSE: See response to 16(D).

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D. BECAUSE SIMILAR STEWARDSHIP PROJECTS ARE LIKELY TO BE SUCCESSFUL

This [project] fits well with BLM project design in the Elk City area. It appears the Whiskey South stewardship project will successfully proceed. The American and Crooked River Project is of similar nature, with similar objectives. (Timber/Wood Products Industry, Kamiah, ID - #5.19.10200.160)

RESPONSE:

It is our intent to include stewardship contracting among the implementation options, in part to secure funding for a substantial watershed restoration component. Refer to the tables in Appendix D and the Cost/Revenue Tables in Chapter 3, Section 3.12.

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17. THE NEZ PERCE NATIONAL FOREST SHOULD CLARIFY THE ROLE OF THIS PROJECT UNDER THE HEALTHY FOREST RESTORATION ACT (HFRA), AND DEMONSTRATE COMPLIANCE WITH HFRA AS NECESSARY.

A. BY PERFORMING REVISED SCOPING AND ADDITIONAL COLLABORATION

Of significant concern to us is the proposed application of the project under the so-called Healthy Forest Restoration Act of 2003 or HFRA (H.R. 1904). If this is the intent, as described in the DEIS, the project must be scoped as such in a revised scoping notice to all interested parties. Further, meaningful collaboration must take place in order to ascertain whether the current design of the project meets the direction of the HFRA. (Preservation/Conservation Organization, Boise, ID - #15.1.10400.160)

RESPONSE:

The text has been corrected for FEIS. While this project would fit under an authorized project for HFRA, it is not being implemented as such since the project was scoped prior to the passage of HFRA.

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B. GIVEN QUESTIONABLE REFERENCES TO THIS PROJECT AS AN HFRA APPLICATION

1. *According to certain portions of the DEIS, notably on page 150, the assertion is made that this project is considered an "authorized project" under the Healthy Forest Restoration Act of 2003. This is inappropriate because no mention of the project's applicability under the HFRA has been mentioned in any previous NEPA preparation or documentation. Further, the project is not identified in the Community Wildfire Protection Plan (Idaho County Wildland Fire Mitigation Plan, August 2003), that was prepared prior to the passage of the HFRA, and fails to fully meet the definition of an approved CWPP under the HFRA. (Preservation/Conservation Organization, Boise, ID - #15.15.10400.160)*

RESPONSE: Please refer to response to 17(A).

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2. *It is also curious that the HFRA is not listed under Section 1.4 of the DEIS (Planning and Direction). We strongly object to the application of this project under the HFRA for the aforementioned reasons and urge you to proceed with the project as a "regular" timber sale project. (Preservation/Conservation Organization, Boise, ID - #15.17.10400.160)*

RESPONSE: Please refer to response to 17(A).

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18. THE NEZ PERCE NATIONAL FOREST SHOULD INVOLVE THE US FISH AND WILDLIFE SERVICE AND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN THE ASSESSMENT OF INDICATOR SPECIES BEFORE AND AFTER TREATMENTS.

A. BY ARRANGING FOR THESE AGENCIES TO DEVELOP A BIOLOGICAL OPINION

The Fish and Wildlife Service and NOAA Fisheries need to evaluate this assessment in a Biological Opinion. The most appropriate species should be selected as indicators to assess ecosystem integrity before, during, and after the proposed treatment. The assessment should describe the effects of the proposed activities on all forest indicator species for each treatment site. (Preservation/Conservation Organization, Boise, ID - #15.124.10200.340)

RESPONSE:

In 1987, the current Forest Plan recognized westslope cutthroat trout, steelhead trout and spring Chinook salmon as management indicator species that occurred on the Nez Perce National Forest (USDA, 1987). Since then, steelhead trout and bull trout have been listed as threatened under the Endangered Species Act (Federal Register Vol.62, No. 159, August 18, 1997, and Federal Register Vol. 63, No. 111, June 10, 1968).

Steelhead trout and the bull trout have both been listed as threatened under the Endangered Species Act (Federal Register Vol. 62, No. 159, August 18, 1997 and Federal Register Vol. 63, No. 111, June 10, 1998).

In 1999, USDA Forest Service Northern Region Sensitive Species list was updated and it now includes not only westslope cutthroat trout and spring Chinook salmon but added to the list was interior redband trout. Redband trout will likely be considered threatened under ESA like steelhead trout.

The management indicator species have been reviewed in relation to this proposed project (FEIS, Section 3.3). Cumulative effects to management indicator species and their habitats are described in the FEIS, Chapter 3.

A Biological Assessment has been completed and consultation with NOAA Fisheries and US Fish and Wildlife Service has been conducted as required under ESA (FEIS and ROD). A draft Biological Opinion was issued on December 2, 2004.

During the project planning process, the Forest Service will consult with the Fish and Wildlife Service and NOAA Fisheries when the project has impacts to Threatened, Endangered, and Proposed species. The Forest Service prepares a biological assessment for Federally listed or proposed species. The Fish and Wildlife Service prepares a biological opinion and NOAA Fisheries when there are adverse effects to federally listed species. The Fish and Wildlife Service and NOAA Fisheries do not consult on Forest Service management indicator species.

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B. BY CONSULTING WITH THESE AGENCIES ON SENSITIVE SALMONIDS AND PACIFIC LAMPREY

Snake River Steelhead Trout, Columbia River Bull Trout, Snake River Spring/Summer Chinook Salmon, Interior Redband Trout, and Westslope Cutthroat Trout, and Pacific Lamprey all occupy the project area. Consultations with both the NOAA Fisheries and the U.S. Fish and Wildlife Service should be incorporated into the EA. (Preservation/Conservation Organization, Boise, ID - #15.131.10200.380)

RESPONSE:

NOAA Fisheries and the U.S. Fish and Wildlife Service were provided copies of the DEIS and were asked to provide comments. In addition, both agencies fulfilled their consultation responsibilities under the Endangered Species Act. Biological Opinions from both Agencies are appended to the ROD for this EIS.

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19. THE NEZ PERCE NATIONAL FOREST SHOULD MANAGE THIS PROJECT JOINTLY WITH THE EASTSIDE TOWNSHIP PROPOSED PROJECT.

BECAUSE THESE PROJECTS ARE LINKED DUE TO TEMPORARY ROAD ACCESS

The DEIS gives the impression that the Record of Decision for the Crooked-American Project will be based in part on the temporary road access provided to BLM parcels designated for logging in the Eastside Township proposed project. This is inappropriate. If the projects are intricately intertwined, they should be managed as a single project. (Preservation/Conservation Organization, Boise, ID - #15.20.10200.170)

RESPONSE:

The American and Crooked River project and the Bureau of Land Management's (BLM) proposed Eastside Township project are discrete projects. The two projects are proposed under separate authorities, the National Forest Management Act and the Healthy Forest Restoration Act, respectively. They are being planned under different schedules. The Nez Perce National Forest is on a schedule to begin implementing the American and Crooked River project during the spring and summer of 2005. The BLM is currently preparing to publish a Notice of Intent and initiation of scoping on a proposed action for the Eastside Township EIS. It is unlikely that the

BLM would be in a position to implement its project until late 2005 or 2006. The two projects are being planned under separate administrative and supervisory controls.

It is premature to conclude that the BLM would access their lands from temporary roads needed to conduct proposed activities on the American and Crooked River project because the BLM has not yet completed the analysis of alternatives for the Eastside Township project. If the BLM needed access across Forest Service lands in order to achieve its management objectives, it would initiate a request for a permit to do so, regardless of Forest Service activities on adjacent lands. The BLM has not initiated such a request.

A portion of the American and Crooked River project (the American River portion) occurs in the same watershed as the proposed Eastside Township project but disparities exist related to: authorities, schedules, administrative boundaries, ownership patterns and related objectives, and administrative/supervisory controls. Considering these factors, it is clear these two actions have independent utility.

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20. THE FINAL EIS SHOULD DOCUMENT COMPLIANCE WITH TRUST AND CONSULTATION RESPONSIBILITIES TO TRIBAL TREATIES.

A. TO ENSURE THAT TREATY RIGHTS AND PRIVILEDGES ARE ADDRESSED IN ACCORDANCE WITH EO 13175

The EIS should document that any existing treaty rights and privileges are addressed appropriately. If the proposed project may have impacts on Tribes, the draft EIS should describe the results of the consultation that took place with all affected tribal governments, consistent with Executive Order (EO) 13175 (Consultation and Coordination with Indian Tribal Governments). EO 13175 states that the U.S. government will continue "to work with Indian tribes on a government-to-government basis to address issues that pertain to Indian tribal self- government, trust resources, and Indian tribal treaty and other rights." (Federal Agency Official, Seattle, WA - #24.28.10300.040)

RESPONSE:

Refer to formal correspondence with the Nez Perce Tribe, immediately following the responses to public comments section and the response to 20(B).

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B. TO ENSURE TRIBAL RIGHTS TO SUSTAINABLE RESOURCES FOR FISHING, HUNTING, AND OTHER ACTIVITIES

This project does not honor legal commitments to the Nez Perce Tribal treaty rights that are supposed to ensure a sustainable fishery. Please honor these rights to the Tribe as well as the species that call this roadless area home. (Individual, Moscow, ID - #9.3.10300.150)

RESPONSE:

The American and Crooked River Project is located within that area ceded to the United States in 1855 by the Nez Perce people. The Treaty was subsequently ratified by Congress and proclaimed by the President in 1859. Although the Forest Service, through the Secretary of Agriculture, is vested with statutory authority and responsibility for managing resources of the National Forests such as areas within the project area, no sharing of administrative or management decision-making power is held with the Nez Perce Tribe. However, commensurate with the authority and responsibility to manage resources, is the obligation to consult, cooperate and coordinate with the Nez Perce Tribe in developing and planning projects within the project area, and on other areas of National Forest system land, that may affect tribal rights.

As a result of the 1855 Treaty, elements of Nez Perce culture such as tribal welfare, land and resources were entrusted to the United States government. Trust responsibilities resulting from the Treaty dictate, in part, that the United States government facilitate the execution of treaty rights and traditional cultural practices of the Nez Perce Indians by working with them on a government to government basis in a manner that attempts a reasonable accommodation of their needs, without compromising the legal positions of the Nez Perce Tribe or the Federal government. Because tribal trust activities often occur in common with the public, the Nez Perce National Forest strives to manage Nez Perce ceded land in favor of the concerns of the Nez Perce Indians, as far as is practicable, while still providing goods and services to all the people.

Specific Nez Perce treaty rights applicable to the American and Crooked River project area and other areas managed by the Nez Perce National Forest are generally articulated in Article III of the 1855 Treaty, and include:

> "*The exclusive right of taking fish in all the streams where running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places in common with citizens of the Territory; and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land*."

Although the 1855 Treaty does not specifically mandate the federal government to manage habitats, there is an implied assumption that an adequate reserve of water be available for executing treaty related hunting and fishing activities.

Treaty rights as well as implied rights applying to grazing and wildlife habitat are incorporated into the Nez Perce Forest Plan. Forest Plan Amendment #7 addressed Tribal concerns with the Plan about monitoring and mitigation of impacts on elk and their habitats. Compliance with the Forest Plan and its subsequent amendments by the American and Crooked River Project presumes that compliance with trust and treaty responsibilities is incorporated

by reference to the Forest Plan. Refer to Chapter 3 of the FEIS for additional information.

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21. THE NEZ PERCE NATIONAL FOREST SHOULD NOT RELY ON NON-NEPA DOCUMENTATION TO SPECIFY NEW MANAGEMENT DIRECTIONS, GOALS, OR DESIRED CONDITIONS.

GIVEN THAT NON-NEPA DOCUMENTS ARE REFERENCED IN THIS PROJECT FOR PURPOSES OTHER THAN INFORMATION PROVISION

Forest Service land-management, decision-making is a two-stage process. Briefly, there is the planning stage and the site-specific project stage. The planning stage is the production of Land and Resource Management Plans (LRMPs or Forest Plans) which "create a framework for subsequent forest management. Forest Plans are regarded as programmatic documents that establish the management direction of the forest. The second stage is the development of site-specific projects which "determine the specific uses to which the forest will be put to accomplish the goals set forth in the Forest Plan". Site-specific projects are required to comply with the management prescriptions established in the Forest Plan.

Additional documents which set management direction, under the deceptive auspices of analysis, are not allowed under NEPA and NFMA. Analysis documents such as the SFLA are supposed to simply provide information, not new management direction, goals, or desired conditions.

What is at issue here is that the non-NEPA document referenced above (and the ICBEMP, which through originally on a NEPA/decision track, was changed) has not gone through the NEPA analysis to look at a range of alternatives, to consider cumulative impacts, or to suggest alternatives to the adoption of new desired future conditions (DFCs), goals, or standards. Only the Forest plan can set that direction. The NFMA regulations require amendment and/or revision when making changes to forest plans. Both amendments and revision require NEPA (36 CFR 219.10 and monitoring should help determine the need for amendments and revision 36 CFR 219.12). The public must be involved. (Preservation/Conservation Organization, Moscow, ID - #22.12.10400.130)

RESPONSE:

This project is consistent with and guided by management direction in the Nez Perce National Forest Land and Resource Management Plan (Forest Plan). Current scientific information from assessments (such as those mentioned) improves and enhances our understanding of ecological interactions and the associated management implications. No Forest Plan revisions are being proposed in this project.

The South Fork Clearwater Landscape Assessment is an analysis, not a decision-making document. While American Crooked EIS refers to this analysis, it is not being tiered to as a decision document. Principally, it is serving as a tool to assess the biophysical and social conditions of the South Fork River. On a broad scale, this

analysis identified opportunities to improve existing conditions. Decisions concerning these opportunities, however, are left to a site-specific NEPA analysis (such as this).

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22. THE NEZ PERCE NATIONAL FOREST SHOULD CONCENTRATE SALVAGE EFFORTS ALONG ROADS IN DRAINAGES THAT CAN SUSTAIN THIS TYPE OF ACTIVITY.

While some additional value might be recovered from salvaging trees, any efforts have to be based on existing road systems and be located in drainages that can sustain this type of activity. (Preservation/Conservation Organization, Boise, ID - #15.12.34600.410).

RESPONSE:

All action alternatives base salvage activities from existing roads. Some alternatives temporarily extend existing roads to reach treatment areas needed to respond to the purpose and need of reducing fuel loads (FEIS, Chapter 2, Section 2.2). All alternatives were developed to ensure that Forest Plan standards, goals and objectives for certain components of ecosystem quality and integrity were addressed (FEIS, Chapter 3). Reconnaissance surveys identified old growth, riparian areas, sensitive slopes, areas of prior soil impacts, watershed improvement needs, unroaded areas, and certain forest vegetation components at risk from fire suppression and succession. Extent and location of temporary roads were constrained to avoid stream crossings and proximity to streams. Analysis of effects (FEIS, Chapter 3) will determine the extent of treatment that each drainage can support within the standards and guidelines.

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SECTION 2 - ALTERNATIVES, RESTORATION AND MONITORING

ALTERNATIVES GENERAL

23. THE NEZ PERCE NATIONAL FOREST SHOULD DEVELOP A RANGE OF ALTERNATIVES THAT APPROPRIATELY RECOGNIZES THE ENORMOUS NEED FOR RESTORATION IN THE PROJECT AREA.

The range of alternatives fails to recognize the enormous need for restoration in the project area. All of the proposed alternatives should have addressed the need for environmentally sustainable projects that deal with the extensive legacy problems in this area. The Forest Service should have examined a range of restoration alternatives with greater amounts of road decommissioning, culvert replacement, and other activities to reduce sediment and restore fisheries. While these alternatives would not harvest as much timber as the preferred alternative, they would still provide timber for local mills. (Preservation/Conservation Organization, Boise, ID - #15.18.23000.002)

RESPONSE:

An adequate range of alternatives was considered. A restoration only alternative was considered but not analyzed in detail because it would not be responsive to the Purpose and Need of this project. (Refer to FEIS, Chapter 1.)

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24. THE NEZ PERCE NATIONAL FOREST SHOULD OBJECTIVELY COMPARE THE ALTERNATIVES REGARDING VISUAL QUALITY OBJECTIVES.

The Forest Service needs to objectively compare the alternatives regarding visual quality objectives. Although dead and dying trees would still remain visible with less harvesting, the Forest Service needs to consider that when the needles drop off the red crowns will be replaced by much less striking bare limbs. The Red Tree Fuels Reduction Project in the Sawtooth NRA cites this fact as a reason to leave many stands intact. In areas that are not logged, natural regeneration (through forest successional cycles) will also replace the forest where trees have been killed by mountain pine beetles without the negative association with clear-cuts. (Preservation/Conservation Organization, Boise, ID - #15.138.23000.715)

RESPONSE:

The VQOs specified in the Forest Plan are not similar to those of the Sawtooth National Recreation Area.

The FEIS (Chapter 3, Section 3.6), objectively compares the alternatives regarding visual quality objectives. This project is treating less than nine percent of the analysis area. The disturbance process of insect infestation and subsequent mortality is occurring on many of the untreated acres and may be viewed there.

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25. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT AN ALTERNATIVE THAT EMPHASIZES ECOSYSTEM QUALITY AND INTEGRITY.

Please consider an alternative that addresses diversity, quality of animal and plant habitat, soil health, and water quality. (Individual, Moscow, ID - #23.3.23100.201)

RESPONSE:

A restoration only alternative was considered but not analyzed in detail because it would not be responsive to the Purpose and Need of this project (FEIS Chapter 1, Section 1.3).

The alternatives were analyzed for effects on wildlife, fish, soil conditions, and water quality. Please see FEIS Chapter 3 – Sections 3.1-3.3 and 3.11. Forest composition and structural diversity were addressed in the Section 3.10. Extensive design criteria and mitigation measures (refer to Chapter 2, Table 2.1) were developed to protect old growth, riparian areas, snags, sensitive slopes, listed, sensitive, and management indicator species, down wood, water quality, fish habitat, and soils. Additional soil and water improvement activities were identified which are expected to result in improved long-term conditions for the affected watersheds, including wildlife security as well as soil and water quality. Please see Appendix D.

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26. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT THE ALTERNATIVE THAT POSES THE LEAST RISK OF SEDIMENTATION.

Choosing the proposal with the least risk of sedimentation would be needed to meet Goal 4 of the Forest Plan. (Preservation/Conservation Organization, Boise, ID - #15.48.23000.160)

RESPONSE:

Goal 4 calls for providing habitat to contribute to the recovery of threatened and endangered species and to provide habitat to ensure viability of these species. The No Action (Alternative A) while providing for the least sediment, will also not allow for watershed and fish habitat restoration activities. The added sediment between Alternatives B and D is not likely to be of sufficient amounts to show difference or added risk to species viability. Section 3.3.1.1 of the FEIS displays the modeled (NEZSED and FISHSED) differences between alternatives. Refer, also to the Alternatives Comparison Tables in Chapter 2.

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27. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT AN ALTERNATIVE THAT DOES NEEDED WATERSHED RESTORATION WITHOUT TIMBER HARVEST.

I am writing you to urge you, as a co-owner of our National Forests, to protect the integrity of the Nez Perce Forest Plan and watershed health by analyzing and selecting an alternative in the Crooked/American Project that does needed watershed restoration without logging. (Individual, Moscow, ID - #9.1.23400.002)

Please consider a non-logging (beyond minimal thinning to reduce ladder fuels0 alternative that emphasizes watershed restoration. The ecology and health of our S. Fork Clearwater River depends on it. (Individual, Moscow, ID - #9.5.23400.201)

I call upon the Forest Service to analyze an alternative that does the needed watershed restoration without logging. There should be no logging or road building in the Meadow Creek Inventoried Roadless Area as per the Forest Service's own landscape assessment. The cumulative impacts of this timber sale plus, the Whiskey South, Meadow Face, Red Pines, Blacktail Butte, and Eastside Township timber sales must be taken into account and considered as a whole. (Individual, Delmar, NY - #28.8.23400.360)

We are urging the Forest Service to analyze an alternative that does the needed watershed restoration without logging. (Individual, San Francisco, CA - #31.1.23400.360)

For public land, this is an improper use of our land. Please consider a no-logging approach to these lands. (Individual, Moscow, ID - #10.2.23400.620)

RESPONSE:

A restoration only alternative was considered but not analyzed in detail because it would not be responsive to the Purpose and Need of this project.

Thinning of ladder fuels, as called for in one of the comments, would reduce the possibility for fire to transition from a surface to a crown fire for a short time frame. Though as the dead and dying trees in the stands start to fall we will again have a high potential for fire transition to occur due to the high fire intensities generated by this type of fuel bed.

Please also refer to responses to items 7(B), 7(D) and 25.

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NO ACTION ALTERNATIVE

28. THE NEZ PERCE NATIONAL FOREST SHOULD NOT ADOPT THE NO ACTION' ALTERNATIVE.'

BECAUSE THE NO ACTION ALTERNATIVE IGNORES WHAT CATASTROPHIC FIRE WOULD DO TO WILDLIFE AND OTHER RESOURCES

The purpose and objectives are adequate and focused. The No Action Alternative ignores what catastrophic fire can and would do to fish and other resources and, therefore, does not comply with the project's purpose and objectives. (Recreation/Conservation Organization, Moscow, ID - #1.3.23510.270)

RESPONSE: Comment acknowledged.

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ALTERNATIVE C

29. THE NEZ PERCE NATIONAL FOREST SHOULD NOT ADOPT ALTERNATIVE C.

BECAUSE IT IS TOO SIMPLISTIC AND UNDERSTATES THE DAMAGE CREATED BY THESE PROJECTS

The public is not well served by overt emphasis put upon simplified projects to supposedly overcome this fire problem while completely understating the accompanying damage created by these projects. What we may well end up with is a very good stream of timber to the timber industry (this is not to suggest that this is, in itself, bad) while continuing to inflict near irreversible damage to other aspects of the forest ecosystem. Until these risks are all given equal weight and are fully disclosed to the public I am adamantly opposed to the selection of Alternative C because it is dangerously too simplistic. (Individual, Post Falls, ID - #19.12.23530.200)

RESPONSE:

Comment acknowledged. Alternative D is the selected alternative. This alternative includes increased emphasis on watershed restoration.

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ALTERNATIVE D

30. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT THE PREFERRED ALTERNATIVE D.

A. BECAUSE ALTERNATIVE D INTEGRATES WELL WITH OTHER POTENTIAL PROJECTS ON BLM AND PRIVATE LANDS.

The RAC (Resource Advisory Committee- North Central Idaho) endorses the preferred alternative D, as described in the DEIS, because the alternative would integrate well with other potential projects on BLM and private lands near Elk City. (Place Based Group, Lewiston, ID - #3.4.23540.100)

RESPONSE: Comment acknowledged. Please refer to response to item 29.

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B. BECAUSE ALTERNATIVE D WOULD PROVIDE A HIGH LEVEL OF HAZARDOUS FUEL REDUCTION IN CRITICAL AREAS NEAR ELK CITY

The RAC (Resource Advisory Committee- North Central Idaho) endorses the preferred alternative D, as described in the DEIS, because the alternative would provide a high level of hazardous fuel reduction in critical areas near Elk City. (Place Based Group, Lewiston, ID - #3.1.23540.271)

RESPONSE: Comment acknowledged. Please refer to response to item 29.

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C. BECAUSE ALTERNATIVE D WOULD RESULT IN LONG-TERM IMPROVEMENTS IN ANADROMOUS FISH HABITAT AND ELK HABITAT

The RAC (Resource Advisory Committee- North Central Idaho) endorses the preferred alternative D, as described in the DEIS, Because the alternative would result in long-term improvements in anadromous fish habitat and elk habitat while incorporating design elements minimizing possible short-term adverse effects to these important resources. (Place Based Group, Lewiston, ID - #3.5.23540.300)

RESPONSE: Comment acknowledged. Please refer to response to item 29.

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D. BECAUSE ALTERNATIVE D WOULD PROMOTE HEALTHY FOREST AND WATERSHED CONDITIONS

The RAC (Resource Advisory Committee- North Central Idaho) endorses the preferred alternative D, as described in the DEIS, because the alternative would promote healthy forest and watershed conditions. (Place Based Group, Lewiston, ID - #3.2.23540.330)

RESPONSE: Comment acknowledged. Please refer to response to item 29.

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E. BECAUSE ALTERNATIVE D WOULD CONTRIBUTE TO THE SOCIAL AND ECONOMIC WELL-BEING OF THE LOCAL AREA

The RAC (Resource Advisory Committee- North Central Idaho) endorses the preferred alternative D, as described in the DEIS, because the alternative would contribute to the social and economic well-being of the local area. (Place Based Group, Lewiston, ID - #3.3.23540.800)

RESPONSE: Comment acknowledged. Please refer to response to item 29.

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31. THE NEZ PERCE NATIONAL FOREST SHOULD NOT ADOPT THE PREFERRED ALTERNATIVE D.

A. BECAUSE THE PREFERRED ALTERNATIVE D PROPOSES ACTIVITIES THAT WILL INCREASE SHORT-TERM SEDIMENTATION

1. *The South fork of the Clearwater is listed for water temperature and sediment. On page 89 it is noted that, "No specific targets were set for tributaries, but it was recognized that much of the sediment yield reduction would need to take place in the tributaries." The Proposed Action undermines the intent and goal of designation by proposing activities that the DEIS acknowledges will increase short-term sedimentation. (Preservation/Conservation Organization, Boise, ID - #15.27.23540.137)*

RESPONSE:

The implementation plan for the South Fork Clearwater River TMDLs has not yet been developed. However, the IDEQ has recognized that short term increases in sediment yield may be allowed in a 303(d) listed water body listed for sediment, as long as a net decrease in sediment yield is shown and beneficial uses are not impaired. We believe that this Project meets these criteria. These concepts are documented in a November 4, 2003, letter from IDEQ to the Idaho Panhandle National Forests and in draft guidance posted on IDEQ's website on April 8, 2004.

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2. *We have assigned a rating of EC-2 (Environmental Concerns - Insufficient Information) to the preferred alternative D. EPA appreciates the U.S. Forest Service's (USFS's) efforts to minimize adverse environmental impacts from timber harvest and commitment to working toward restoring water quality and fish habitat in the American and Crooked Rivers. However, we are concerned about the potential impacts of timber harvest and construction of new roads on sediment yields to streams that are impaired from sediment and loss of shade. (Federal Agency Official, Seattle, WA - #24.1.23540.234)*

RESPONSE:

The impacts of timber harvest and construction of new roads on sediment yields are disclosed in Chapter 3 and Appendix E of the FEIS. These impacts are believed to be in compliance with the Clean Water

Act, Idaho State Water Quality Standards and the South Fork Clearwater River TMDLs.

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B. BECAUSE THE PREFERRED ALTERNATIVE D WOULD VIOLATE FISH/WATER QUALITY OBJECTIVES UNDER THE FOREST PLAN

Given that Bull Trout, Steelhead Trout and Chinook Salmon exist in the Rivers, and the risk of sedimentation is high in the short-term under the proposed action, the Proposed Action clearly does not meet the goal and intent of the Forest Plan in this regard. The Proposed Action would also violate fish/water quality objectives under the Forest Plan. On page 89 it is stated that, "The Plan recognizes that many of these watersheds do not meet fish/water quality objectives under current conditions. The Plan stipulates that an upward trend in aquatic habitat carrying capacity be established in below objective watersheds. This is accomplished by limiting new disturbance. By proposing new roads and timber harvesting that will further degrade the watersheds; the project clearly fails to limit new disturbances. Allowing short-term degradation while proposing long-term restoration is contrary to the objectives and intent of the Plan since it clearly states that a limitation of new disturbance is necessary. Offsets are not enough to meet this criterion. (Preservation/Conservation Organization, Boise, ID - #15.49.23540.160)

RESPONSE:

It has been determined that the selected alternative meets the upward trend requirements stated in Appendix A of the Forest Plan. The rationale for this conclusion is found in Chapter 3 and Appendix E of the FEIS.

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C. BECAUSE THE PREFERRED ALTERNATIVE D WOULD NOT MINIMIZE THE SPREAD AND ESTABLISHMENT OF NOXIOUS WEEDS

The Forest Plan requires that the Forest Service minimize the creation of sites suitable for weed establishment (Noxious Weed Management, Supplement No, R1 2000-2002-1). The proposed action will not minimize and will in fact exacerbate the spread and establishment of noxious weeds through 15 miles of road construction and 24 miles of reconstruction. (Preservation/Conservation Organization, Boise, ID - #15.89.23540.160)

RESPONSE:

Through the analysis a set of project design criteria or mitigation requirements have been established to address the risk of weed spread and colonization resulting from the proposed project. The design criteria include prevention measures, spot treatment, monitoring, re-survey of risk zones for changes in weed infestations and, where appropriate, the re-vegetation of disturbed soil (Chapter 2 Design Criteria). The implementation of these invasive plant design criteria would insure that weed spread from ground disturbing actions is minimized or eliminated.

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D. BECAUSE THE PREFERRED ALTERNATIVE D WOULD NOT MEET SOIL QUALITY STANDARDS UNDER THE FOREST PLAN

Soil quality standards under the Forest Plan will not be met under the Preferred Action. The DEIS concedes the potential problems (at page 40) when it states, "?58% [American watershed, 53% for Crooked] of all logging areas would not meet the Forest Plan Soil quality standard 2?" This makes suspect the subsequent claim made that mitigation measures may offset any differences in cumulative effects for each of the alternatives. (Preservation/Conservation Organization, Boise, ID - #15.40.23540.230)

RESPONSE:

The analysis of compliance with soil quality standards has been augmented. Please see the revised narrative in FEIS Chapter 3, Section 3.1, summary of cumulative effects for soil physical properties and compliance with Forest Plan standards.

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E. BECAUSE THE PREFERRED ALTERNATIVE D WOULD HAVE NEGATIVE IMPACTS ON PINE MARTEN HABITAT

While old growth stands are supposedly protected from logging under the project, we believe the impacts of the Proposed Action on pine marten are dramatically understated. The DEIS acknowledges that clear-cutting of mature stands and habitat fragmentation have "seriously affected distribution of marten" (P. 308). It also notes that, "While habitat quantity has increased, habitat quality has likely declined due to loss of larger snags and habitat heterogeneity from fuel-wooding, fire suppression, and loss of large diameter trees due to past timber harvest." (Preservation/Conservation Organization, Boise, ID - #15.85.23540.330)

RESPONSE:

The FEIS acknowledges effects of additional harvest and fragmentation effects on pine marten habitats, but also the discussion cites work from Coffin, et al. 2002, which indicates that despite heavily logged and roaded areas, pine marten can tolerate and remain in such areas (see FEIS, Chapter 3, Section 3.11). The analysis further discusses and assesses fragmentation effects and the impacts of the activities.

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F. BECAUSE THE PREFERRED ALTERNATIVE D WOULD NOT DO ENOUGH TO LIMIT IRRESPONSIBLE OHV USE

The damaging effects of irresponsible OHV use are well documented and could be contributing to water quality problems among others. It is clear that the Proposed Action will not do enough to curtail trail blazing. It is mentioned that current restrictions will be maintained and that the effectiveness is rated as "high". However, on page 39 it states, "Numerous undocumented user-created ATV trails exist, which add to the amount of detrimental disturbance in the project area." This contradiction is highly confusing and leaves one to wonder if management has fallen behind the reality of the current situation. Accordingly, restrictions and monitoring should be increased. This is also a reason to minimize road construction to prevent further intrusion into areas. (Preservation/Conservation Organization, Boise, ID - #15.51.23540.501)

RESPONSE:

Illegal OHV use does exist presently and will continue in the future no matter which alternative is selected or if any alternative is selected. Unfortunately, at present funding levels the problem can not be addressed. Illegal use is not expected to change due to implementing any of these alternatives.

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32. THE NEZ PERCE NATIONAL FOREST SHOULD INCREASE EMPHASIS ON FISH HABITAT RESTORATION IN ALTERNATIVE D.

Alternative D appears to be an economically viable proposal. If there is sufficient latitude within your budget or projected revenues to increase the level of fish habitat restoration above that shown in Alternative D, we would strongly recommend that you give habitat restoration additional emphasis in your final decision. Increased emphasis on fish habitat restoration, particularly stream improvements, would not only help recover ESA-listed fish at a faster pace, but would also provide additional employment opportunities to the potential contractors involved with implementing those actions on the ground. (Place Based Group, Lewiston, ID - #3.6.32300.340)

RESPONSE:

Comment acknowledged. Effects of additional restoration activities were also analyzed as Alternative D (modified) for the FEIS.

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ALTERNATIVE E

33. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT ALTERNATIVE E.

Alternative E. is clearly a much preferred alternative and even that proposal commits many of the omissions perpetrated in the other actions alternatives. (Individual, Post Falls, ID - #19.13.23550.200)

RESPONSE: Comment acknowledged

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ADEQUACY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

34. THE NEZ PERCE NATIONAL FOREST SHOULD ACKNOWLEDGE AND ADDRESS THE SHORTCOMINGS AND INCONSISTENCIES OF THE AMERICAN AND CROOKED RIVER DEIS.

A. *Very frankly, everything about this DEIS stinks. It is obvious that the Forest Service is trying to pass-off their hidden agenda on the public under the mask of a fuels reduction project. (Individual, Grangeville, ID - #30.11.21000.820)*

There are several issues that need to be addressed in this document. They include baseline data, the cumulative impacts on the South Fork Clearwater, the indicators and parameters identified in the DEIS, the disconnect between water quality based upon modeling and fish habitat and how that does not meet the forest plan, and the very different impacts of pulse disturbances (fire) versus press disturbances (logging and road building). (Preservation/Conservation Organization, Moscow, ID - #22.18.21100.002)

RESPONSE:

The FEIS covers each of these concerns in Chapter 3 and/or Appendix E. The issue of Forest Plan compliance is discussed above in the response to comment 32. The linkage between water quality modeling and fish habitat is discussed in the FEIS. The effects of pulse versus press disturbances due to fire, logging, and road building are disclosed in the Chapter 3.

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B. BECAUSE THE DEIS FAILS ITS DUTY UNDER NEPA TO OFFER AND DISCLOSE TO THE PUBLIC A RESONABLE RANGE OF ALTERNATIVES

The DEIS fails its duty under NEPA to offer and disclose to the public a reasonable range of alternatives that includes scientifically and ecologically sound management proposals. The purpose and need was designed in such a way as to constrain alternatives and, in so doing, pie-determined the decision prior to issuance of even the DEIS. (Preservation/Conservation Organization, Moscow, ID - #22.13.21000.131)

A basic requirement of NEPA is that federal agencies must consider a reasonable range of alternative actions in an as. 42 U.S.C. B 4332(2XcXiii); 40 C.F.R. B 1502.14; Bob Marshall Alliance v. 1-lodel, 852 F.2d 1223(9th Or. 1988), cert. denied, 489 U.S. 1066(1988). The range of alternatives should 'sharply [define] the issues and [provide] a clear basis for choice among options by the decision maker and the public." Id. Under NEPA, alternatives analysis must:

(a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

40 C.F.R. 8 1502.14 (a) and (a). See California v. Block, 690 R2d 753,765-69(9th Cir. 1982) (reversing EIS for failure to address reasonable range of alternatives); see also Muckleshoot Indian Tribe v. USFS, 177 F.3d 800(9th Cir. 1999) (reversing EIS for failure to address reasonable range of alternatives).

There is a lack of a range of alternatives--or any alternative-that examines the implications of changing forest plan management direction as noted above. There was no real restoration alternative without logging. Conflation of those opposites--logging and mad building which are damaging and restoration which seeks to restore the damage from the pervious two-is dishonest. Furthermore, narrowly defining the purpose and need to require removal of vegetation (a euphemism for logging) violates NEPA. (Preservation/Conservation Organization, Moscow, ID - #22.14.23100.002)

The Seventh Circuit recently explained:

No decision is more important than delimiting what these 'reasonable alternatives" are... One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing reasonable alternatives out of consideration (and even out of existence). If the agency constricts the definition of the project's purpose and thereby excludes what truly are reasonable alternatives, the EIS cannot fulfill its role.

This DEIS follows that pattern mentioned by the Court. In coming up with the purpose and need, the agency has defined the issues to preclude a reasonable array of alternatives. (Preservation/Conservation Organization, Moscow, ID - #22.16.23100.131)

RESPONSE:

Contrary to your statement above, there is no change in Forest Plan management direction proposed by this project. The range of alternatives was developed in response to the Purpose and Need and issues identified through scoping. (Refer to FEIS, Chapters 1 and 2).

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C. BECAUSE THE DEIS USES NON-NEPA DOCUMENTS TO ESTABLISH MANAGEMENT DIRECTION

The DEIS fails to meet the spirit and intent of NEPA and NFMA requirements by using non-NEPA documents to establish management direction, that coupled with an overly narrow Purpose and Need will lead to a predetermined decision and constrains the array of alternatives. In this case, programmatic decisions in the South Fork Landscape Assessment, or presumed to be in that assessment, to meet some so-called historic range of variability and establish goals for vegetation (less lodgepole and fir and more ponderosa pine and western larch). (Preservation/Conservation Organization, Moscow, ID - #22.9.21000.330)

RESPONSE: See response to item 21.

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D. BECAUSE THE DEIS OFFERS NO EVIDENCE THAT THE CURRENT CONDITION OF STREAMS SHOWS AN UPWARD TREND IN WATER QUALITY AND FISH HABITAT STANDARDS

The DEIS recognizes that these streams do not meet forest plan water quality and fish habitat standards. Cobble embeddedness is significant and predicted to increase. Appendix A of the forest plan is quite clear most if not all of the streams fall below the mandated percentage of Fishery Water Quality Objectives. The DEIS offers no evidence the current condition of those streams has changed since Appendix A of the forest plan was completed.

Appendix A is also clear that streams below objectives must show (present tense) and upward trend before logging can take place. A future predicted upward tend is not sufficient. The plan is clear on this point. Real recovery must be taking place before logging and road building can be allowed. The DEIS offers no monitoring data that is indeed the case.

The DEIS does not seem to indicate whether the entry frequency guidelines in appendix A have been met or exceeded. Is that information available and if so, where is it? (Preservation/Conservation Organization, Moscow, ID - #22.22.21000.002)

RESPONSE:

The issue of Forest Plan compliance, including upward trend requirements, is discussed above in the response to comment 31(B). We disagree that the Forest Plan requires that an upward trend must show before logging can take place. The Forest issued a guidance document in 1991 that states, in part, "The Plan did not specifically intend that the improving trend be in place prior to initiation of new activities …" (Gerhardt, et al, 1991). Rather, in the watersheds within the project area, the Forest Plan provided for timber management and improvement activities to occur concurrently. Refer to Chapter 3, Section 3.3.3 and Appendix A.

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E. BECAUSE THE DEIS IS UNCLEAR HOW THE PROPOSED TIMBER HARVESTS RELATE TO THE PROPOSED WATERSHED IMPROVEMENTS

That is especially true [that an economic analysis be provided for each alternative] in light of the lack of clear language in the DEIS connecting the tree removal part of the plan with the superb list of watershed improvements provided in two appendices to the DEIS. These appendices offer a clear and very well thought out plan to make long term watershed improvements in this portion of the Forest - a place where just this type of improvement is badly needed. These efforts can also be very labor intensive, which is not a bad idea in a place where more jobs are certainly needed. But, and I am sorry to say, as usual, no clear plan is provided to answer these questions: how will these improvements be timed? Will they for certain be accomplished? Are they a prerequisite for any other part of your proposed decision? Will they be done by the same people who

remove the trees? Is their actual completion a key part of both the monitoring effort, and more importantly, is their completion factored into the many tables that show the overall water quality situation in these two drainages. (Individual, Moscow, ID - #6.7.21100.247)

It is not clear from the DEIS of the timing of the watershed restoration activities listed in Appendix D. (Federal Agency Official, Seattle, WA - #24.14.21100.249)

RESPONSE:

The Nez Perce National Forest is committed to completing the aquatic restoration that is part of this action. Please refer to the FEIS Record of Decision including the Biological Evaluation/Assessment. The aquatic improvement activities will occur concurrently with the vegetation treatments. Activities will be planned to achieve a balance over the life of the timber sale contract. The exact mechanism is not final at this stage and implementation will either occur under the same contract or by separate contracts.

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F. BECAUSE THE DEIS FAILS OT SUBSTANTIATE HOW THE MITIGATION WORK PROPOSED IN THIS PROJECT WILL RESULT IN LONG TERM IMPROVEMENT TRENDS

1. *Regarding this over generalization of future habitat improvements, your DEIS frequently admits that these rivers are in poor condition and/or are very vulnerable to further degradation. As an example of this, on page 146 you frankly state "In summary, American River and tributaries are subject to cumulative sediment effects due to past impacts in the watershed and the existing degraded condition" (bolding added).*

   On the bottom of page 147, you make the simple and flat statement "Fish habitat in the analysis area is in poor condition". You continue on page 148 to describe just how poor of a condition these rivers and tributary streams are in. Yet, in spite of these type of assessments, the DEIS constantly implies, in a very blurred way, that road decommissioning and the use of "temporary roads" will eventually offset any further damage caused by this proposal. I am aware of the other mitigation work proposed in this project which is commendable but you submit no supportable evidence substantiating the contention that this work will more than offset the short term impacts of Alternative C. Although I applaud such mitigation work, it is pure speculation that the net effect of taking 25 MMBF of timber off of 2,700 acres will result in a long term improvement trend. (Individual, Post Falls, ID - #19.5.21000.720)

   RESPONSE:

   The documentation for the conclusion that an upward trend in aquatic condition is expected to result from this project is found in Appendix E of the FEIS. In addition, 2,700 acres represents only seven percent of the project area.

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2. *Proposals such as the American and Crooked River Project coyly imply that after this project is completed, there essentially will be no other subsequent proposals that would add additional short term or long term negative impacts. This is done by almost promising the reader that following some undefined period of time of "short term" degradation, these watersheds "are expected to result in long-term improvements in habitat condition (page V; page 111). What is so astounding about such assertions is you present not one iota of information or data to support that critical commitment. That is just not probable nor does it suggest reality. No, in all likely hood, some years after the American and Crooked Rivers are logged, the temporary roads are decommissioned (more on that later), existing non-used roads are decommissioned and the affected area commences to recover, the Nez Perce NP will come forth with another proposal to attempt to "manage' some form of risk in the same watersheds. In other words, it seems to me to be incredibly idealistic to expect that there will be no further negative impacting projects to those watersheds. Certainly that has not been my experience up here in the Panhandle National Forest. So, for the USFS to say that if this project is initiated, it will lead to long term improvements in the watershed are, as they say, a bit of a stretch. (Individual, Post Falls, ID - #19.2.21100.160)*

RESPONSE:

Currently, there are no additional proposals planned within this project area. The assertion of long-term improvement is based on actions that we can currently assess. Unless the requirements for upward trend in aquatic condition are removed at some point, future projects would be subject to the same direction.

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G. BECAUSE THE DEIS IS UNCLEAR WHETHER THE USDA FOREST SERVICE WILL CONTINUE TO PROVIDE STAFF AND FUNDING TO SUSTAIN EFFECTIVE MITIGATION PROJECTS AND RESTORATION PROJECTS

Adding to this dubious claim that the forest silviculture and watersheds will eventually be in better condition is the question of whether the US Forest Service will continue to provide staff and funding to sustain effective mitigation programs. There certainly is valid concern that programs originally committed to in a given project never actually gel completed as originally orchestrated or, at the very least, takes inordinately long to complete. I am sure that this continual under funding of the USFS, and hence the downsizing, is as agonizing to the agency as it is to the general public. None-the-less, this raises serious doubt that the Forest Service can, in fact, deliver on the constant promise that things will get better in the long term IF THE PRESENT PROPOSED PROJECT IS AUTHORIZED. (Individual, Post Falls, ID - #19.3.21100.835)

It is not clear from the DEIS whether the funding is certain for all or some of the watershed restoration activities. (Federal Agency Official, Seattle, WA - #24.15.21100.835)

RESPONSE:

Most restoration work associated with this project will be accomplished through the use of various contracting mechanisms. Some of the work, streamside planting for example, may be accomplished through participating, volunteer, and challenge cost-share agreements.

The various types of contracting authorities being considered to implement the project include stewardship, service, and timber sale contracts, each of which offers a different opportunity to apply funds or contract specifications toward completing restoration activities.

We are confident that restoration funds will be made available from a variety of sources over the life of the project.

Funding Sources

- Appropriated funds have been requested for Fiscal Year 2005 and beyond to accomplish restoration work in the upper South Fork Clearwater River, including the American and Crooked River Project area.
- The North Central Resource Advisory Council (RAC) is on record supporting this Project and has the capability to fund a significant portion of the restoration once the Project is approved.
- Many road improvements and a portion of the existing road decommissioning would be accomplished through timber sale contract provisions where such roads would be used for hauling and removing forest products.
- Where forest product revenues are projected to exceed operational logging and site treatment costs, stewardship contracting authorities would be used to allow the Forest Service to direct those revenues toward restoration activities.
- A substantial portion of the restoration work fits well under partnership and grant opportunities:
  - → A recent addition to the potential sources of funding for restoration activities is the Pacific Salmon Recovery Fund (PSRF). At least one grant proposal from a local non-profit organization has already been submitted, through the PSRF process, to do restoration work in the project area.
  - → Restoration work associated with this Project, once approved, will be incorporated into the South Fork Clearwater River TMDL implementation plan, which is under development by the SFCR Watershed Advisory Group.
  - → Many of the proposed restoration projects would be competitive for BPA funds and work could be accomplished in partnership with the Nez Perce Tribe.

In the event of significantly changed conditions due to natural events related to large floods, wind, or fire affecting the project area, the project would be reevaluated. Significant delays in project implementation could affect the overall economics of the project. National funding priorities could temporarily shift in the event of large-scale catastrophic events in other parts of the country. The difficulty in accurately predicting the future makes it impossible to guarantee funding or results. We can, however, provide assurance of our intent to implement the full range of actions identified in the FEIS and Record of Decision and that the tools to do so are reasonably available at this time.

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H. BECAUSE THE CUMULATIVE IMPACTS ANALYSES IN THE DEIS ARE INADEQUATE

1. *The cumulative impacts analyses in the DEIS are disjointed (for example see pages 109, 110 and 147) and somewhat contradictory. Page 110 indicates sediment horn only four projects was analyzed in a cumulative fashion, yet table 3.0 lists many more future projects. Even table 3.0 is not clear whether it covers all of the mining projects in the area as, for example, Crooked River Mining Activity is so general it may take in several projects which are not explicitly mentioned. Mining projects have been proposed and/or approved in the past few years in the South Fork drainage which are not mentioned on the chart (Siegel Creek, El Lucky Duk, Cypress Hill, and Petsite), timber sales are not mentioned (Mackey Day) and other timber sales (Ridge Running) apparently are considered past (a Hungry mill EIS sale, as per communication with the USFS) when we understand that are still ongoing though nearing completion.*

   As of today, the TMDL for the South Fork has just been or is on the verge of being approved. Sediment is a major problem in the South Fork Clearwater. The problems noted in the above paragraph of the DEIS make it impossible to determine whether the TMDL is being met. However, the evidence that is available leads one to conclude the TMDL, which requires a reduction of 25% in sediment won't be met. How can the agency produce more sediment and still meet the TMDL that calls for sediment reduction? (Preservation/Conservation Organization, Moscow, ID - #22.20.21000.137)

   RESPONSE:

   The cumulative effects discussion was supplemented with additional analysis in the FEIS. Not all ongoing and proposed activities are modeled in the sediment analysis. The types of activities and effects that are modeled are disclosed in Appendix E. The concern regarding compliance with the South Fork Clearwater River TMDLs is discussed above in the response to comment 31.

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2. *The DEIS failed to adequately consider the cumulative impacts of other federal actions in the area on Fisheries, Soils, Wildlife, Management Indicator Species, TE&S Species, Water Quality, Forest Stand Dynamics and other resources. Some of the other projects that should be incorporated into the*

Cumulative Effects Analysis include the Eastside Township (BLM), Whiskey-South (BLM and FS), Crooked River Road Demonstration project, the mysterious Orogrande Defensible Space project, Newsome Creek Defensible Space, Red River Defensible Space, Red River Administrative Sites, Blacktail Fuels, American River Drainage Fisheries (BLM), Buffalo Gulch Culvert Replacement (BLM), Dixie Summit Tree Removal, Crooked River Channel, Genesis Minerals, Red River Hazard Tree Removal, Newsome Creek Channel Restoration, Upper Red River Watershed Restoration project, "This is it" placer mining, EMC #1 placer mines on Newsome Creek, Forestwide Thinning project (scoping notice of March 29, 2004) Red River Campground, and last but certainly not least, Red Pines. Additional effects analysis is warranted for the historic, current and foreseeable mining activities located throughout the watershed, as these legacy and continuing projects carry significant risks to values and resources within and adjacent to the project area.

Given the inextricable relationship of this impressive (yet likely not comprehensive) list of related activities, many of these projects should be analyzed under one comprehensive EIS. The Forest Service also needs to analyze the cumulative effects of the Slims Fire Contingency Fire Line and any other emergency projects that arise. (Preservation/Conservation Organization, Boise, ID - #15.143.30310.002)

RESPONSE:

For water quality cumulative effects, please see response above. The analysis of cumulative effects for soils was also supplemented. See this section in FEIS 3 at the end of Section 3.1. The analysis of cumulative effects for vegetation was supplemented in the FEIS. See this section in FEIS 3 at the end of Section 3.10. The analysis of cumulative effects for fisheries has been updated in the FEIS. Please refer to Section 3.2 in that documents.

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3. *The DEIS does not clearly show or evaluate cumulative the impacts from livestock grazing on the watershed. There are as few allotments in the planning area.*

   (Preservation/Conservation Organization, Moscow, ID - #22.29.21100.247)

   RESPONSE: The evaluation of cumulative effects from livestock grazing on the watershed has been strengthened in the Final EIS.

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I. BECAUSE THE DEIS IS NOT PRECISE IN HOW IT DEFINES FOREST HEALTH

The DES and associated documents are not precise in how to define forest health. Is it merely an expression of being within historical range of variability (or does it include human economic concerns as well? lithe latter, how can science define what is healthy since the economic values are simply that, expressions of

a value system, and not based in value-neutral science? (see Walder 1995) (Preservation/Conservation Organization, Moscow, ID - #22.32.21000.205)

RESPONSE:

We consider a healthy forest ecosystem to have the following characteristics:

1) The physical environment, biotic resources and trophic networks to support productive forests during at least some seral stages;
2) Resistance to dramatic change in populations of important organisms within the ecosystem not accounted for by predicted successional trends;
3) A functional equilibrium between supply and demand of essential resources (water, nutrients, light, growing space) for major portions of the vegetation; and
4) A diversity of seral stages, cover types, and stand structures that provide habitat for many native species and all essential ecosystem processes.

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J. BECAUSE THE DEIS DOES NOT EXPLAIN THE MAPPING DIFFERENCES BETWEEN IT AND THE SOUTH FORK OF THE CLEARWATER RIVER LANDSCAPE ASSESSMENT (SFLA) CONCERNING FIRE REGIMES

The DEIS does not explain the mapping differences between fire regimes between it and the SFLA, though minor, and the assumptions behind the departure from historic. Without this information, it is impossible to test the validity of the assumptions made in the DEIS. (Preservation/Conservation Organization, Moscow, ID - #22.61.21000.210)

The DEIS is not clear how the assumptions made in the SFLA and other documents were derived. For example, the SFLA reaches some different site-specific conclusions about extent of certain habitat types (and therefore, about fire regimes) in the South Fork Clearwater than does ICBEMP. However, neither the SFLA nor DEIS explain the site-specific science behind those differences. (Preservation/Conservation Organization, Moscow, ID - #22.60.21000.210)

RESPONSE:

The modest inconsistencies are due to the methods of deriving fire regimes. In both analyses, combinations of potential vegetation and terrain setting were used with a rule set to estimate historic fire regimes. In the case of the South Fork assessment, the resultant maps were refined using site-specific potential vegetation data where they were available.

In the case of the American Crooked River Project, no site-specific corrections were made. Both these and the historic fire regimes derived for the Idaho Cohesive Strategy (http://www.fs.fed.us/r4/id_fire_assessment/id_haz_risk_review.html), which will replace in the FEIS data used for the DEIS, are based on modeling of potential vegetation, and the use of rule sets to derive fire regimes. The Forest and Idaho-scale processes are likely to result in differing fire regime

assignments and could affect consequent estimation of fire regime condition class. Recognition of variability in these areas of mixed and lethal fire, and landscape and stand-specific evaluations, are important to interpreting existing condition with respect to historic process.

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K. BECAUSE THE DEIS IS INCONSISTENT IN ITS DESCRIPTION OF THE AREA AND FIRE REGIMES VERSUS THE MAPS IN THE APPENDIX

The DEIS is inconsistent between description of the area, and fire regimes, versus the maps in the appendix which delineate Fire Regimes. The FINAL EIS should clarify these discrepancies. (Preservation/Conservation Organization, Boise, ID - #15.44.21000.277)

RESPONSE:

The description of the area and the map legend for the fire regimes now correspond.

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L. BECAUSE THE DEIS PRESENTS INCORRECT ASSUMPTIONS CONCERNING DAMAGE TO WATERSHEDS FROM STAND-REPLACEMENT FIRE

One of the wrong assumptions in the DEIS is the damage to watersheds from stand-replacing fires. The SFLA clearly notes the difference between pulse events like stand-replacing fires (which are necessary for watershed function) and press events (road building and logging). "Predominantly pulse disturbances of fire and flood have been supplanted by wide scale press disturbances of harvest and mad-related sediment regimes that have impacted aquatic integrity."

Enclosed is a paper from agency personnel that look at this issue. It is particularly important to note that logging for watershed health is misguided. (Preservation/Conservation Organization, Moscow, ID - #22.23.21000.333)

RESPONSE:

The need to log for watershed health is not a primary purpose of this project. Stand replacing fire, and the pulse watershed responses that ensue, are intrinsic to historic and projected fire activity in the American and Crooked River watersheds. The FEIS, Chapter 1, Section 1.3, *Conditions Contributing to the Purpose and Need for Action*, describes vegetation changes associated with past fire suppression, succession, and mountain pine beetle activity. Refer to FEIS, Chapter 3, Sections 3.2, 3.3, and 3.4 regarding the relationship of fire to these disturbances. Furthermore, a robust program of watershed improvements (see Appendix D) should help improve resiliency to fire when it does occur.

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M. BECAUSE THE DEIS DOES NOT EXPLAIN HOW DIFFERENT SITE-SPECIFIC CONCLUSIONS WERE DERIVED

The DEIS is not clear how the assumptions made in the SFLA and other documents were derived. For example, the SFLA reaches some different site-

specific conclusions about extent of certain habitat types (and therefore, about fire regimes) in the South Fork Clearwater than does ICBEMP. However, neither the SFLA nor DEIS explain the site-specific science behind those differences. (Preservation/Conservation Organization, Moscow, ID - #22.60.21000.210)

NEPA requires information be available before decisions are made. The DEIS does not indicate whether the inventories conducted to date are adequate site-specific analysis for this project. (Preservation/Conservation Organization, Moscow, ID - #22.94.21100.131)

RESPONSE:

The Analysis Methods described under each resource area in the FEIS, Chapter 3, have been augmented to describe data sources, including field inventories.

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N. BECAUSE THE DEIS FAILS TO ADDRESS ISSUES CONCERNING WILDLIFE AND WILDLIFE HABITAT

There is inadequate information provided regarding the Flammulated owl. While it is stated that there is extremely limited owl habitat within the Crooked River, an estimate of how many owls are located in the area is appropriate. (Preservation/Conservation Organization, Boise, ID - #15.83.21100.390)

The Forest Service failed to address the fact that harvest units adjacent to previous units could create combined openings that are too large to be used by goshawks. (Preservation/Conservation Organization, Boise, ID - #15.79.21100.391)

It is particularly confusing that the environmental effects that are analyzed only consider habitat in ponderosa pine. It should analyze other potential nesting trees such as Douglas fir, which the owls are also known to utilize in Idaho. Given the extent of logging in the area, it is likely that there would be impacts on the limited population that is present in the area. These impacts should have been fully considered in the DEIS, and must be duly incorporated into the FINAL EIS. (Preservation/Conservation Organization, Boise, ID - #15.84.21100.391)

The DEIS specifies that project nest site mitigation will only protect 10-15 acres of forest around nest trees. This is inadequate. The Forest Service should leave a 30-acre buffer around active and previously existing but unoccupied nest sites as specified in the Management Recommendations for the Northern Goshawk (Reynolds 1992). Due to parasites or previous disturbances, goshawks often alternate between existing nests. These existing alternate nests may well be located within or adjacent to the proposed patch clear-cuts and other units. The proposed action could remove or make these otherwise viable nests unusable. (Preservation/Conservation Organization, Boise, ID - #15.78.23540.391)

RESPONSE:

Xeric ponderosa pine/Douglas-fir habitats are extremely limiting in the American and Crooked River drainages. The extent of flammulated owl

habitat and its isolation from such other is not extensive enough to support a breeding population. See FEIS, Chapter 3, Section 3.11.

The goshawk is a habitat generalist and uses variety of structural/age classes to meet its life history requirements. With the majority of the harvest within the American and Crooked River drainages having occurred between the 1950's and 1980s, these areas are fully stocked and could provide foraging habitat for goshawks. New units would create openings, which in turn would provide habitat. See FEIS, wildlife cumulative effects sections in Chapter 3, for further discussion of habitat fragmentation and related impacts.

Management recommendations proposed by Reynolds et al., 1992, were developed specifically for the southwestern United States. Thus, it would be inappropriate to apply these guidelines to the moister, intermountain west. Given that this project will not harvest old growth stands and that active or newly discovered goshawk nests will be protected, goshawks nests should be adequately protected.

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O. BECAUSE THE DEIS FAILS TO RECOGNIZE THE ROLE MOUNTAIN PINE BEETLE PLAYS IN THE SUCCESSIONAL STAGES OF THE FORESTS.

The DEIS fails to recognize the role Mountain Pine Beetle plays in the successional stages of the forests. Lodgepole Pine is a seral species and should be recognized as such in the FINAL EIS. While in certain areas, Lodgepole Pine can be viewed as a type of seral/climax species due the long fire interval (i.e. as witnessed at Yellowstone National Park), throughout much of the West, beetles and other disturbance mechanisms play an integral role in the succession through to climax forests. While fire may play a role in some of these forests, the DEIS gives the impression that there are two stark options: Clear-cutting or Stand Replacing Fire. Is this the position of the Nez Perce National Forest? This is misleading and disingenuous. (Preservation/Conservation Organization, Boise, ID - #15.109.21100.373)

RESPONSE:

The role the mountain pine beetle plays in the successional stages of the forest vary according to the function of Rocky Mountain lodgepole pine in the stand: whether seral, persistent, or climax. Section 3.10 of the FEIS for additional information regarding this topic.

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P. BECAUSE THE DEIS FIALS TO ADEQUATELY CONSIDER AND ADDRESS ISSUES CONCERING "ROADLESS" AREAS

Unmanaged, roadless areas provide important habitat. The Summary of Scientific Findings for the Interior Columbia Basin Ecosystem Management Project (PNW-GTR-385) found that undeveloped, roadless areas are important for providing habitat for native fish and water quality; are economically valuable to society; and are in relatively good ecological condition.

"Because roads crisscross so many forested areas in Eastside (Columbia Basin), existing roadless regions have enormous ecological value. Existing roadless regions offer important sanctuary. Roadless regions constitute the least-human-disturbed forest and stream systems, the last reservoirs of ecological diversity, and the primary benchmarks for restoring ecological health and integrity." (Rhodes et al. 1994).

The DEIS fails to consider the importance of roadless in those regards. Instead, it is as if the roadless areas are targeted Because of some ill-informed belief that they need manipulation and/or corrective action than do roaded areas. Clearly, with regard to watershed integrity, that is not the case. (Preservation/Conservation Organization, Moscow, ID - #22.91.21100.621)

The DEIS does not analyze the so-called temporary impacts on roadless values. Since project implementation is expected to take at several years, those impacts could be substantial. (Preservation/Conservation Organization, Moscow, ID - #22.89.21100.621)

Nowhere in the DEIS does it distinguish between roaded and unroaded landscapes with regard to fire severity, HRV, or other similar ecological factors. There is ample evidence, including the agency's own ICBEMP studies that roadless areas are in far better health than roaded landscapes. For example, Evan Frost prepared a detailed paper, submitted to the agency as comments on the roadless policy which used the agency's own scientific reports citing the health of roadless areas (see Frost 1999). (Preservation/Conservation Organization, Moscow, ID - #22.90.21100.621)

The DEIS fails to clarify whether any management of non-system roads, trails, or skid trails would occur with the project. (Preservation/Conservation Organization, Boise, ID - #15.53.21100.410)

RESPONSE:

The cumulative effects analysis for Roadless areas is discussed in Chapter 3, Section 3.13, *Wilderness, Inventoried Roadless Areas, and Unroaded Areas*. Additional information regarding effects to areas identified as fish habitat unroaded areas can be found in the FEIS, Chapter 3, Section 3.3.

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Q. BECAUSE THE DEIS FAILS TO ADEQUATELY EVALUATE THE IMPACTS FROM THE VARIOUS ALTERNATIVES ON WEED SPREAD

The section on weed spread does not evaluate the impacts from the various alternatives other than displaying a chart of harvest unit acreage and road miles...This is a major failing of the DEIS.

The reason this is important is because the DEIS also claims that various HTGs are different susceptibility to weeds. It does not, however, indicate what HTGs are being logged or roaded so it is impossible to determine what the potential impacts of weed spread are from the various alternatives.

Furthermore, if the areas targeted to be logged are HTGs or VRUs (or whatever habitat/land typing is used) with little chance of weed spread, that should be

shown. There is an interesting correlation between those types and infrequent but lethal fire regimes. (Preservation/Conservation Organization, Moscow, ID - #22.62.21000.371)

RESPONSE:

The result of the weed risk assessment reflect a concern for the potential of weed spread from ground disturbing activities from all alternatives, taking into account the level of disturbance and, type and condition of the vegetation communities within the project area. To reduce the risk of continued weed spread design criteria (Chapter 2 Design Criteria pg 28-29) is integrated into the project and will be a requirement of the proposed project and applies to all alternatives.

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R. BECAUSE THE DEIS FAILS TO ADDRESS MAJOR ISSUES CONCERNING HERITAGE VALUES

The DEIS gives some important and interesting background information on heritage values. However, the big questions are avoided. Will there be an on-site inventory? What are the impacts from the various alternatives? What measures will be taken to ensure protection of heritage values? (Preservation/Conservation Organization, Moscow, ID - #22.93.21000.730)

RESPONSE:

A heritage resource inventory specific to the American and Crooked River project occurred throughout the project area during 2003 and 2004. The level of inventory was predicated on sufficing requirements within 36 CFR 800.4.

No adverse effects to historic properties are anticipated by the implementation of any of the alternatives proposed for the American and Crooked River project. Refer to FEIS, Chapter 3, Section 3.9. Historic properties will either be avoided entirely from project activity, or specific mitigation measures implemented in consultation with the Idaho State Historic Preservation Office and 36 CFR 800.6, will be instituted to arrive at a “No Adverse Effect” determination for this project.

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S. BECAUSE THE DEIS IS NOT CLEAR WHETHER FOREST PLAN SOILS STANDARDS WILL BE MET

The DEIS is not clear whether forest plan soils standards will be met. It assumes that can be held to 20% but it does not conclude that indeed it will. Furthermore, it is not evident that regional soils guidelines will be met. (Preservation/Conservation Organization, Moscow, ID - #22.28.21100.230)

RESPONSE:

The Regional soil quality guidelines have not been adopted Forest-wide through a Forest Plan amendment, so the Forest Plan standards are in effect. The discussion of soil quality standards and the assumption that impacts can be held

to 20 percent has been supplemented. Please see FEIS, Chapter 3, Section 3.1*, Summary of Cumulative Effects.*

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35. THE NEZ PERCE NATIONAL FOREST SHOULD DEVELOP A SUPPLEMENTAL DEIS WHICH CONSIDERS A DEFENSIBLE SPACE ALTERNATIVE.

The assertion that a defensible space project was not warranted Because of the implementation of the Crooked River Road Demo Project is outrageous. The Crooked River Road Demo Project treated approximately 24 acres. The DEIS further states that because the Orogrande Defensible Space Project has been envisioned, that a defensible space alternative is not warranted. No information whatsoever has been provided to the public about this project, no scoping letter has been disseminated and there is absolutely no assurance that the project will ever get past the conceptual phase. Additionally, the DEIS (at page VIII) states, "The size and scope of these treatments are small, designed to protect only the structure themselves, so the treatments would have little effect on the project area." On the basis of these considerations, a Supplemental DEIS is clearly warranted which considers a Defensible Space alternative. (Preservation/Conservation Organization, Boise, ID - #15.19.23400.275)

RESPONSE:

The scoping letter for the proposed Crooked River Defensible Space project was mailed on September 13, 2004. This project proposes fuels treatments on nine sites located along County Road 223. The proposed treatments include thinning small diameter trees and pruning large diameter trees within 200 feet of structures to create a safer area for firefighters to work and to help protect private properties.

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TECHNICAL AND EDITORIAL COMMENTS ON THE DEIS

36. THE NEZ PERCE NATIONAL FOREST SHOULD MAKE NECESSARY AMENDMENTS TO SECTION 2.2, DESCRIPTION OF ALTERNATIVES.

Section 2.2 Description of Alternatives: We recommend adding a Table 2.3 similar to Table 0.1 that compares the alternatives for the combined American/Crooked River project. (Federal Agency Official, Seattle, WA - #24.29.21200.210)

Section 2.2 Description of Alternatives: We recommend that Table 2.1 and 2.2 have a reference to the list of stream improvement treatments contained in Appendix D. (Federal Agency Official, Seattle, WA - #24.30.21200.249)

RESPONSE: Comment acknowledged.

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37. THE NEZ PERCE NATIONAL FOREST SHOULD CLARIFY THE VRU CHART ON PAGE 221 AND 250 TO DISPLAY THE VRU DISTRIBUTION OF THE AMERICAN RIVER.

VRU Chart, Figure 3/13, Page 250 - this chart appears to display the VRU distribution of American River rather than Crooked Fork (as labeled), and is the same as the chart on page 221. (Timber/Wood Products Industry, Kamiah, ID - #5.13.30100.001)

RESPONSE: Comment acknowledged. The VRU chart has been updated in the FEIS

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38. THE NEZ PERCE NATIONAL FOREST SHOULD PROVIDE A SHORT NARRATIVE FOR THE ECONOMIC ANALYSIS OF EACH ALTERNATIVE.

The economic analysis provided for each alternative is reasonable, but could be improved with at least a short narrative for each. (Individual, Moscow, ID - #6.6.21200.800)

RESPONSE:

Comment acknowledged. The economic analysis section has been improved in the FEIS.

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39. THE NEZ PERCE NATIONAL FOREST SHOULD PROVIDE ADDITIONAL NEPA DOCUMENTATION FOR THE AMERICAN AND CROOKED RIVER PROJECT.

If the intent is to proceed with the project as an authorized, additional NEPA documentation (i.e. rescoping and supplemental DEIS) is required under current regulations. Similar efforts to apply the Biscuit Fire Salvage Project post hoc were withdrawn as a result of this incompatibility. (Preservation/Conservation Organization, Boise, ID - #15.16.21000.160)

RESPONSE: See response to comment 17

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FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)

40. THE FINAL EIS SHOULD SUMMARIZE SIGNIFICANT ISSUES RAISED BY THE PUBLIC AND PROVIDE DETAIL ON THE PROCESS USED TO MODIFY THE PROPOSED ALTERNATIVE.

In Chapter 2, Section 2.2, the DEIS states that the preferred alternative was prepared in response to significant issues raised by the public. We recommend that the final Environmental Impact Statement (FINAL EIS) summarize the significant issues that were raised by the public and provide more detail on the process used to modify the proposed alternative to address those concerns. (Federal Agency Official, Seattle, WA - #24.3.21100.060)

RESPONSE:

Alternatives to the proposed action were developed based on public comments received during scoping. A detailed list and analysis of issues raised by the public is in project file for this EIS.

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41. THE FINAL EIS SHOULD ADDRESS THE EFFECTS OF DROUGHT AND CLIMATE CHANGE IN THE PROJECT AREA.

The effect of drought and climate change is not adequately considered as one of the root causes for the issues of concern in the project area. This should be amended in the FINAL EIS. (Preservation/Conservation Organization, Boise, ID - #15.45.21100.260)

RESPONSE:

Since it is not possible to determine if, when, or severity of drought or other climatic changes, it is beyond what is defined as reasonably foreseeable and is not analyzed in this EIS.

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42. THE FINAL EIS SHOULD INCLUDE THE RESULTS OF THE BIOLOGICAL ASSESSMENT (BA).

We recommend that the final EIS contain the results of the Biological Assessment (BA) for threatened and endangered species affected by the proposed project or that the Record of Decision discuss the process used to address the results of BA in determining final action. (Federal Agency Official, Seattle, WA - #24.27.21100.340)

RESPONSE:

Comment acknowledged. We will include the Biological Assessments with the FEIS or ROD.

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RESTORATION

RESTORATION GENERAL

43. THE NEZ PERCE NATIONAL FOREST SHOULD CONDUCT RESTORATION.

A. TO RESTORE THE WATERSHED

1. *A better way to contribute to the economic and social well being of the local communities is to repair the decades of abuse the landscape has suffered and restore the watershed so that it supports thriving populations of Chinook Salmon, Steelhead Trout, Bull Trout, Lampreys and other species. There are decades worth of restoration projects in this area needing skilled forest workers. In addition, fishing continues to bring significant income to the local*

economies. (Preservation/Conservation Organization, Boise, ID - #15.11.30000.800)

The proposed restoration package is very limited on the American River. This is difficult to comprehend given that there are many more improvements proposed for the Crooked River and there seems to be very similar problems for both of the rivers. The restoration package should be significantly increased. This should be the highest priority for the watershed given that on page 37 of the DEIS it is noted that, "The South Fork Clearwater River Landscape Assessment identifies 'Restore aquatic processes' as the area theme for the American River watershed within which the project area occurs." It also states that "Restoration is to include both restoration of aquatic conditions and processes in the watershed and adjustments to the road and trail system to support aquatic restoration and provide for administrative and public uses and maintain wildlife security." The improvements proposed for this watershed do not seem to include restoration of aquatic conditions and processes in the watershed. (Preservation/Conservation Organization, Boise, ID - #15.38.31100.201)

RESPONSE:

Refer to Chapter 2 for summary tables of watershed restoration improvements. In addition, Appendix D of the FEIS details the restoration planned under this action. In American River, this work includes decommissioning of over 20 miles of road, doing watershed improvements on over 6 miles of road, and improving fish passage and increasing the size of 10 culverts. In addition, over 50 acres of soil improvement will be approved for completion. Crooked River does include more of this type of work including in channel improvements. The history of work in American River has the BLM taking the lead in mainstem improvements. These actions will continue, as evidenced by BLM's recent proposal to:

- Do 2.5 miles of road to trail conversion,
- Rehab the upper American River Ford,
- Replace the culvert at the mouth of East Fork American River,
- Connect Telephone, Queen and Whitaker Creeks to the mainstem American River,
- Perform 2.2 miles of in-channel improvements, and
- Install riparian enhancements on an additional 5 miles of the mainstem.
- The work proposed by both agencies will improve watershed process and function.

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2. *EPA encourages the USFS to continue in the direction of implementing restoration projects in the American and Crooked Rivers that will result in*

water quality and aquatic habitat improvements. (Federal Agency Official, Seattle, WA - #24.8.34500.240)

RESPONSE: See response to 43(D) above.

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B. TO RESTORE THE SOUTH FORK CLEARWATER

For the restoration of the South Fork Clearwater, it would be better to use plans which concentrate on development of habitat for diverse wildlife and fish and improvement of soil conditions. (Individual, Loveland, CO - #12.3.32000.002)

RESPONSE:

While the American and Crooked River Project focuses on timber salvage and fuel removal, there are a number of key restorative actions that this project implements as well. Roads decommissioning is one of the most important from a wildlife and fish habitat viewpoint. See Appendix D for details on the watershed and fish habitat improvements.

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C. BY CONSIDERING THAT THE DEIS ALREADY ACKNOWLEDGES THAT TIMBER HARVEST AND ROADS CAUSE ENVIRONMENTAL PROBLEMS

In attempting to replicate some as yet to be defined HRV, the DEIS adopts a strategy nearly identical to the logging of the past which resulted in forest fragmentation and the conditions of today. In other words, the DEIS grudgingly acknowledges that logging and road building has led to the problem (although the emphasis seems to be on fire suppression, the effects of which are not clear for most of the South Fork), yet proposes the solution to be more logging and road building. (Preservation/Conservation Organization, Moscow, ID - #22.39.13100.330)

RESPONSE:

The project is not attempting to replicate HRV. Chapter 1, Section 1.3 of the FEIS defines the Purpose and Need of this project, as well as conditions that contributed to the purpose and need for action. See also response to 43(D), below

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D. BY CONSIDERING EVIDENCE THAT TIMBER HARVEST AND THINNING DO NOT MINIMIZE EFFECTS OF FIRE

The DEIS fails to analyze some important findings about logging and fire. Both the Sierra Nevada and Interior Columbia Basin Ecosystem Management Projects found that logging was a major reason for increased intensity and severity of wildland fire. Della Sala et al (1995 and 1995a) and Henjum et al.(1994) argue that scientific evidence does not support the hypothesis that logging, thinning, minimize the effects of fire. (Preservation/Conservation Organization, Moscow, ID - #22.53.13110.270)

RESPONSE:

This is a complex issue and it is important to examine findings in the context of biophysical setting and management history. Factors associated with increased likelihood of high-intensity fire in managed forests include some appropriate to this project area. For example, harvest-created fuels will add to the fuel load for a short period until slash treatments are complete, adding to the risk of locally severe fire effects under severe burning conditions. However, some findings are more associated with low elevation forests, in formerly frequent fire regimes, where past harvest has reduced stand resistance to fire by removing the fire tolerant trees and leaving younger and more fire sensitive species (Quigley and Arbelbide, 1997: McKelvey *et al*., 1996), and leaving slash untreated. Weatherspoon (1997) compared fire and fire surrogates (logging and prescribed fire) for their ecological effects. Many important questions remain unanswered, even in the low elevation frequent fire regimes. Designed studies and modeling, as well as fire case studies, have provided some insights. Schoennagel *et al*. (2004) conclude that severe fires at long intervals in lodgepole and spruce-fir forests are weather driven and not by fuels, stand age, or fire-fighting activities. These fire situations are not those being addressed by this project. In mixed severity regimes, or under moderate burning conditions, climate and fuels interact in a complex manner. Using the Hayman fire as an example, reviewers found that during severe burning weather, most fuel treatments had little impact on the severity or direction of fire (Finney et al., 2003), especially if area of fuel treatment was small. During moderate weather, fuel modifications did influence fire spread and severity. Agee et al. (2000) present a reasoned discussion of the utility and limitations of fuel breaks in affecting fire behavior.

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44. THE NEZ PERCE NATIONAL FOREST SHOULD ADOPT THE RESTORATION PRINCIPLES AS A SCREEN FOR THE ACTION IN THIS PROJECT.

We request the FS adopt the Restoration Principles (DellaSala, et al., 2003) as a screen for proposed actions such as this one. We incorporate them by reference into this DEIS comment. (Preservation/Conservation Organization, Moscow, ID - #22.57.13100.160)

RESPONSE:

While the Restoration Principles proposed by Dellasala *et. al*. may contain valuable insights to the overall effort of ecosystem restoration, the Forest Service is mandated to by Congress to follow NFMA and NEPA regulations. The Nez Perce Forest Plan provides the overall guidance for management of the specific management areas. The NEPA document (American and Crooked River Project EIS) details the purpose and need for the proposed action (Chapter 1 FEIS), a full range of alternatives which will achieve the purpose and need (Chapter 2), and analysis of the effects of those alternatives (Chapter 3). These do not necessarily correspond directly with all the principles and criteria outlined in the Restoration Principles. During the NEPA process, publics have the opportunity to comment and state their opinions as you

have done. Any action taken to adopt guidelines (such as Dellasala et. al.) which vary from those already established and approved through the planning process may require an extra level of involvement, or a Forest Plan Amendment.

There are some similarities between the proposed activities and the Restoration Principles, however. The table below provides a checklist of the similarities between the eight sub-principles and the FEIS, and where they may be reviewed in more detail.

Ecological Forest Restoration Principles and Criteria Checklist

DellaSala, et al., 2003	FEIS - American and Crooked River Project 2005
Core Principle **I. Ecological Forest Restoration—Enhance ecological integrity by restoring natural processes and resiliency**	See Sub-principles below.
Sub principles I. Ecological Forest Restoration—Enhance ecological integrity by restoring natural processes and resiliency	The purpose of the project is to reduce existing and potential forest fuels, create conditions that will contribute to sustaining long-lived fire tolerant tree species (ponderosa pine, western larch) and contribute to the economic and social well-being of people who use, and reside, within the local area.[2] FEIS Chapter 1, Purpose and Need.
2. Forest Restoration Assessment Principle—Conduct a restoration assessment prior to restoration activities	The area's existing condition was determined using field data and the findings and recommendations from the South Fork Clearwater River Landscape Assessment (SFLA). FEIS Chapter 1.
3. Ecological Restoration Approaches Principle—Determine the appropriate use of protection, passive and active restoration based on restoration assessments	Specialists' effects analysis of the alternatives and the responsible official's decision. FEIS Chapter 3 and Record of Decision (ROD).
4. Community Protection Zone Principle—Distinguish between fuel-reduction treatments that restore ecological integrity and those that serve primarily to protect property and human life.	WUI and non-WUI designations within the analysis area. FEIS Chapter 2, description of the alternatives and Chapter 3, Effects of the Alternatives.
5. Adaptive Management Principle—Monitoring and evaluation must be assured before restoration proceeds, and be incorporated into the cost of the project Monitoring and Evaluation Criteria.	FEIS Appendix I Monitoring Plan. FEIS Chapter 2, description of the alternatives and Chapter 3, Effects of the Alternatives.
II. Ecological Economics—Develop or make use of restoration incentives that protect or restore ecological integrity	See Sub-principles below.
6. Economic Framework Principle—Develop positive incentives to encourage ecologically	FEIS chapter three, economic analysis, effects of the alternatives on vegetation.

DellaSala, et al., 2003	FEIS - American and Crooked River Project 2005
sound restoration.	
III. Communities and Work Force—Make use of or train a highly skilled, well-compensated work force to conduct restoration	See Sub-principles below.
7. Community/Work Force Sustainability Principle—Effective restoration depends on strong, healthy, and diverse communities and a skilled, committed work force.	Meetings with Nez Perce Tribe, Framing Our Community, Bennett Forest Industries.
8. Participatory Principle—Encourage involvement of a diversity of communities, interest groups, agencies, and other stakeholders at all levels	NEPA scoping, meetings with Nez Perce Tribe, Framing Our Community, ILC, Friends of the Clearwater, open houses, field trips, etc. See FEIS response to DEIS comments.

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MONITORING

MONITORING GENERAL

45. THE NEZ PERCE NATIONAL FOREST SHOULD MONITOR.

A. 1. *Monitoring should be a high priority item, and funding must be secured. Only through sound project level monitoring will there be proof that land management activities can be conducted with modern harvest systems without a negative impact on other resource values, particularly water quality and fish. (Timber/Wood Products Industry, Kamiah, ID - #5.14.30100.720)*

RESPONSE:

Comment acknowledged. The monitoring plan has been amended with more specific information in the FEIS. Please see Appendix I.

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2. *Additional issues of concern include a lack of monitoring and discussion of Heritage issues, Wild and Scenic Rivers (existing and proposed), and monitoring and evaluation. (Preservation/Conservation Organization, Boise, ID - #15.145.30100.730)*

RESPONSE: Comment acknowledged.

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B. 1. FOR INDICATOR SPECIES THAT INCLUDES ELK

Monitoring impacts on indicator species must include elk. We must be able to evaluate timber harvest activities to determine if timber stands are opened sufficiently to provide quality summer forage. Both the Idaho Fish and Game Department and Nez Perce Tribe should be involved in this activity. (Timber/Wood Products Industry, Kamiah, ID - #5.16.30100.340)

RESPONSE:

Staffing and funding levels must be considered by line officers when prioritizing all required Forest activities and completing all desired tasks becomes difficult when budgets become constrained.

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C. FOR THREATENED, ENDANAGERED, AND SENSITIVE PLANTS AND ANIMALS AS PART OF THE BIOLOGICAL ASSESSMENT

A thorough field survey for threatened, endangered, and sensitive plants and animals should be undertaken as part of the biological assessment. Areas containing threatened, endangered, and sensitive plant and wildlife species within the proposed treatment areas should be mapped, avoided, and monitored prior to and after management activities. (Preservation/Conservation Organization, Boise, ID - #15.122.30100.340)

RESPONSE:

The FEIS Appendix A maps 8-a and 8-b show fish distribution including TES species. Section 3.3 of the FEIS provides baseline information for the fish and discusses how the activities will be managed to protect these fish. Pre-project field surveys for wildlife have been conducted for this project (See American/Crooked Project Wildlife Observation Table – in the project file). This information was incorporated into the biological assessment and evaluation. Further details on mitigation and monitoring can be found in the FEIS Section 2.3.

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D. FOR POPULATION TRENDS

Temporal considerations of the impacts on wildlife population viability from implementing something with such long duration as a Forest Plan must be considered (id.) but this has never been done by the Nez Perce NF. It is also of paramount importance to monitor population trends (as mandated by the Forest Plan) during the implementation of the Forest Plan in order to validate assumptions used about long-term species persistence i.e., population viability (Marcot and Murphy, 1992; Lacy and Clark, 1993). (Preservation/Conservation Organization, Moscow, ID - #22.68.30100.350)

RESPONSE:

The Forest Plan monitoring and evaluation reports annually related species monitoring results and general trends. In addition, the project file holds a document titled: “Habitat-based Terrestrial Vertebrate Populations Viability Related to the American and Crooked River Project (USDA FS, 2004a), which holds a summary of species monitoring over the past sixteen years.

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46. THE FINAL EIS SHOULD INCLUDE PAST EXPERIENCE AND MONITORING ASSOCIATED WITH THE NEZSED MODEL.

Past experience and monitoring associated with the NEZSED model should be provided in the FINAL EIS in order to allow for the appropriate consideration of the models shortcomings, especially for a project of this magnitude. (Preservation/Conservation Organization, Boise, ID - #15.37.21100.210)

RESPONSE:

A summary of NEZSED limitations and field tests was provided in Chapter 3 of the DEIS. A more detailed discussion has been added to Appendix E of the FEIS.

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47. THE NEZ PERCE NATIONAL FOREST SHOULD MAKE AVAILABLE FOR REVIEW THE FY 2002 MONITORING AND EVALUATION REPORT REFERENCED IN THE DEIS.

One of the main problems in the DEIS is the reliance on the FY 2002 monitoring and Evaluation Report. That report has been long requested by Friends of the Clearwater. We have been told it is not yet available but will be available soon. Aside from the tardiness of releasing that report, citizens can't comment on something that is not yet available. Also, the 2003 report should be available to the public.

For example, the DEIS claims that all is well with goshawks. Formal surveys have been conducted on a forest-wide basis. Yet, those surveys are not available as they are in the unavailable 2002 monitoring report. (Preservation/Conservation Organization, Moscow, ID - #22.64.12110.210)

RESPONSE:

The FY 2002 Monitoring and Evaluation report is available to the public.

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48. THE NEZ PERCE NATIONAL FOREST SHOULD RELY ON BEST AVAILABLE SCIENCE TO DETERMINE REASONS FOR HUMAN INTERVENTION AND MANAGEMENT ACTIONS IN THIS PROJECT.

BY CONSIDERING EVIDENCE THAT TIMBER HARVEST, RESOURCE EXTRACTION, AND GRAZING HAVE BEEN THE GREATEST AGENTS OF FOREST CHANGE IN THE PAST

The DEIS is based largely upon a flimsy premise the forest needs massive and extensive human intervention to make it healthy again. While that premise is not without some equivocation, possibly due to the fact that much of fire ecology is based upon speculation on what conditions were like years ago, the overriding theme seems to be the forests are out of whack because of fire suppression. Of course, the changes that have taken place from logging, mining and grazing are not emphasized even though they have been the greatest agent of change in the South Fork. (Preservation/Conservation Organization, Moscow, ID - #22.31.13000.277)

RESPONSE:

Both broad-scale and locally relevant studies have examined the role of fire within the last 1,000 years. Many studies have concluded that, despite considerable local or temporal variability, fire suppression has tended to change stand structure and composition in areas of frequent, low severity fire. In areas of longer interval, mixed and more severe fire regimes, like much of the project area, fire suppression has resulted in changes in landscape-scale pattern and the proportion of different forest age classes represented in a landscape (Quigley and Arbelbide, 1997, page 855; USDA FS, 1998, 2000, 2001, 2002, 2003). The South Fork Landscape Assessment, page 89, found that fires affected almost 6000 acres per year on average from about 1880 to 1930, and since then have burned about 400 acres annually, a more than 90 percent decline. Fire history mapping and fire scar studies in other areas of the forest corroborate the pervasive role of fire within at least the last 300 years (Barrett, 1993).

Although harvest in the American and Crooked River watersheds has been extensive, it has not simulated the pattern or processes of natural fire. The resultant vegetation pattern in some areas is harvest units dispersed in a matrix of mature forest. These forests, with their significant proportion of dying lodgepole pine, are susceptible to wind driven lethal fires under the appropriate weather conditions. While not unnatural, such fires could be difficult to suppress. Community concerns for property and firefighter safety suggested the purpose and need: to reduce fuels in strategic locations to improve fire suppression effectiveness, increase the proportion of fire resistant tree species, and reduce likelihood of locally severe fire effects in areas of high fuel accumulations. Refer to Chapter 1, Section 1.3.

Changes due to logging, mining and grazing were assessed for the American and Crooked River watersheds in the South Fork Landscape Assessment (USDA FS 1998), the South Fork Clearwater Biological Assessment (1999), and have been updated and made more site-specific in the discussion of the affected environment for the project area. See FEIS 3 under the discussion of existing conditions for each resource area.

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SECTION 3 - SOILS AND WATERSHEDS

SOILS AND SEDIMENTATION

49. THE NEZ PERCE NATIONAL FOREST SHOULD ANALYZE ACTIVITIES THAT AFFECT SOILS.

Among other things, we are concerned that project activities will accelerate soil erosion, increase soil compaction, and degrade soil productivity. NFMA requires the FS to "not allow significant or permanent impairment of the productivity of the land." 136 C.F.R. 2. NFMA requires the Forest Service to "ensure that timber will be harvested from National Forest System lands only where-soil, slope, or other

watershed conditions will not be irreversibly damaged." [16 U.S.C. 1604 (g)(3)(E)] (Preservation/Conservation Organization, Moscow, ID - #22.26.31200.133)

RESPONSE:

The regulatory framework for protection of soil resources is displayed in FEIS, Chapter 3, Section 3.1. The analysis of effects on soils, including compaction, displacement, erosion, mass wasting, nitrogen, potassium, and soil wood, is also in this Section. Project design and mitigation measures developed to keep soil effects within Forest Plan standards, protect slope stability, and to respond to additional productivity concerns, are in Table 2.3. Additional soil improvement projects to help restore soil productivity on other sites within the project area are shown in Appendix D.

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50. THE NEZ PERCE NATIONAL FOREST SHOULD SELECT HARVEST TECHNIQUES WITH THE LEAST AMOUNT OF SOIL DISTURBANCE.

A. *The methods that are proposed to harvest trees from the project area are likely to compact soil, increase erosion, and incur more disturbance than is acceptable. In areas where treatments are ecologically appropriate, the Forest Service should select harvesting techniques with the least amount of soil disturbance. Multi-span cable yarding with a full-tree suspension system and helicopter logging should be considered instead of tractor-jammer systems where feasible.*

We recommend that any and all harvesting occur over frozen or dry soil, with recognition of sensitivity to nesting or denning species. An increase in hand thinning and a decrease in mechanized thinning would also lower detrimental soil disturbance factors. Vehicles which destroy ground cover, expose mineral soil to erosion, and compact soils for reduced absorption and increased runoff should be specifically prohibited. (Preservation/Conservation Organization, Boise, ID - #15.118.34400.231)

B. BY MINIMIZING GROUND BASED LOGGING

Ground-based logging should be minimized as much as possible since it would further degrade soil quality via compaction. Not only should logging be scaled back, but the logging which does occur should include those methods that have the least impact on soil quality. (Preservation/Conservation Organization, Boise, ID - #15.41.34400.231)

RESPONSE:

Logging systems are chosen based on a combination of cost, terrain, and silvicultural prescription and are described in Chapter 1 of the FEIS. Cable logging is prescribed for about 41 percent of the proposed harvest acres and ground-based systems for 59 percent. Effects of ground-based logging including compaction, displacement and erosion are analyzed in the FEIS Chapter 3, Section 3.1. Extensive design criteria and mitigation measures have been developed for this project to limit detrimental soil physical disturbance from ground-based logging (refer to Table 2.1). Monitoring is also proposed during and after implementation to validate soil resource

protection measures. Monitoring will be done to identify units with cumulative soil disturbance in excess of Forest Plan standards and they will be treated through post-activity soil restoration work. See the Monitoring Plan in Appendix I.

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51. THE NEZ PERCE NATIONAL FOREST SHOULD CONFIRM THAT SOIL COMPACTION THRESHOLDS COMPLY WITH FS HANDBOOK FSH 2509.18.

The Forest Management Handbook at FSH 2509.18 directs the FS to do validation monitoring to "Determine if coefficients, S&Gs, and requirements meet regulations, goals and policy" (2.1 - Exhibit 01). It asks what we are asking: "Are the threshold levels for soil compaction adequate for maintaining soil productivity? Is allowing 15% of an area to be impaired appropriate to meet planning goals?" The Ecology Center recently asked the Northern Region if they have ever performed this validation monitoring of its 15% Standard, in their February 26,2002 Freedom of Information Act request to the Regional Forester, requesting:

The Forest Management Handbook at FSH 2509.18 provides the Forest Service with examples of validation monitoring to "Determine if coefficients, S&Gs, and requirements meet regulations, goals and policy." It asks "Are the threshold levels for soil compaction adequate for maintaining soil productivity? Is allowing 15% of an area to be impaired appropriate to meet planning goals?" We request all documentation of validation monitoring by the Forest Service in the Northern Region that answers those two questions.

The Northern Region office's reply letter stated that them is no documentation that responds to this request. If the Nez Perce NF is aware of any new or other documentation that would respond to this request, we ask that you please disclose it to us now. (Preservation/Conservation Organization, Moscow, ID - #22.27.30100.230)

RESPONSE:

The soil quality standards applied to this project are those of the Forest Plan. The validation of soil quality standards requires a well-designed research program addressing differences in soils, forest types, climates and treatment types. Dumroese et al. (2000) found that the same standard for displacement would result in widely varying amounts of carbon and nitrogen loss depending on soil type, while effects on seedling survival and growth of compaction or displacement also varied widely in many cited studies. Soil compaction and displacement effects are being studied under the North American Long-Term Soil Productivity Study, which replicates treatments of forest floor removal and compaction across many soil types and climate zones (Powers, 1990). This study should help us understand **degrees** of impacts at a point. Studies to examine the **areal extent** of impacts on soil, hydrologic and vegetation processes at a broader scale could be more complicated. The derivation of the 15 percent Region 1 guideline (or 20 percent in the Forest Plan) for areal extent of disturbance was thought to represent the threshold of statistical detectability, in its effect on stand productivity (Howes, personal communication, 2004; Cline, personal communication, 2004).

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52. THE FINAL EIS SHOULD INCLUDE THE EFFECTS OF THE PROPOSED PROJECT ON SOIL PRODUCTIVITY.

The FEIS needs to analyze the effects of removing potassium-containing vegetation on nutrient cycling in the area. (Preservation/Conservation Organization, Boise, ID - #15.104.21100.232)

RESPONSE:

Analysis of potassium and nitrogen removal is in FEIS Chapter 3, Section 3.1. The design criteria and mitigation in Table 2.1 specify bole-only yarding to reduce potassium loss, and additional actions to over-winter slash before burning to allow for nutrient leaching, to minimize excessive slash piling and redistribution of nutrients, and to constrain slash burn intensity to reduce the amount of potassium and nitrogen volatilized.

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53. THE FINAL EIS SHOULD CLARIFY AND DOCUMENT HOW LONG-TERM SUSTAINABILITY OF SOIL CONDITIONS WILL BE PROTECTED.

A. GIVEN POTENTIAL IMPACTS OF GROUND BASED EQUIPMENT AND SLASH TREATMENT

Long term impacts to soil potassium and nitrogen may be unacceptable under the National Forest Management Act and the existing Forest Plan. Please clarify in the FEIS how the application of ground based equipment, in concert with high-severity slash treatments will ensure the long-term sustainability of soil resources in the project area. (Preservation/Conservation Organization, Boise, ID - #15.42.10400.230)

RESPONSE: See response to comment 52 above.

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B. GIVEN INADEQUATE EXPLANATION OF HOW FOREST PLAN SOIL STANDARDS WILL BE MET

The DEIS fails to adequately explain how Forest Plan Soil quality standards will be met. There is inadequate information provided in several locations including one at page 44 which states, "Assuming that compaction and displacement can be held to within the 20 percent area disturbance threshold of Forest Plan Soil quality standard 2?" The FS must clarify what this assumption is based on since it appears to be unlikely given the past compaction and displacement that has occurred from other logging projects in the area.

There are apparent contradictions in the DEIS. At page 87 it states, "All alternatives may meet Forest Plan soil quality standards on harvest units, if mitigation and design measures are rigorously implemented, so that cumulative effects are the same for all alternatives on a site basis." It then goes on to seemingly discount this prediction when it states, "The likelihood of exceeding the standards increases with increasing number of activity areas proposed for ground based logging or temporary road construction." Given that the Preferred

Action, Alternative D, is ranked as the worst alternative in this regard, it is highly questionable whether soil quality standards would be met, regardless of mitigation measures. (Preservation/Conservation Organization, Boise, ID - #15.39.10400.231)

RESPONSE:

This discussion has been augmented in the FEIS. Please See FEIS 3, Section 3.1, summary of cumulative effects for soil physical properties and compliance with forest plan standards.

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54. THE NEZ PERCE NATIONAL FOREST SHOULD LOOK AT SEDIMENTATION EFFECTS.

A. TO DETERMINE IF ADDITIONAL SEDIMENT REDUCTION PROJECTS COULD BE IDENTIFIED IN SILVER AND QUARTZ CREEKS

In addition, if this is an area [Silver and Quartz Creeks] of particularly high sediment loading, perhaps additional sediment reduction projects could be identified in these watersheds to further reduce sediment levels towards the TMDL goal. (Federal Agency, Elected Official, Seattle, WA - #24.12.31200.180)

RESPONSE:

Additional field assessment and modeling were conducted for Silver and Quartz Creeks for the FEIS. Site-specific recommendations were made to reduce sediment yield from existing roads planned for reconditioning, new temporary roads and harvest units. These recommendations were incorporated and are documented in the Record of Decision. This review also resulted in adjustments to the stream crossings planned for upgrades in Silver Creek.

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B. TO CONDUCT ADDITIONAL MITIGATION MEASURES AND DECREASE SOIL SEDIMENTATION

While road obliteration will improve water quality in the long term, road obliteration and reconstruction will inevitably entail soil disturbance and short-term increases in sedimentation rates. Additional mitigation measures, such as stream bank stabilization upstream and downstream of the site, are needed which guarantee no near-term net increases in soil disturbance or sedimentation in the watershed as a whole. (Preservation/Conservation Organization, Boise, ID - #15.74.31200.230)

RESPONSE:

Stream crossings are given special attention during design and implementation of road obliteration projects. Site-specific best management practices are employed to minimize short-term sediment yield and to enhance stability of the stream and adjacent slopes. Within the crossing site, measures might include dewatering, drop structures, placement of large wood, mulching, seeding, and/or planting. Temporary sediment traps might be utilized downstream of the crossing. In some case, channel gradient and

steps need to be reestablished upstream of the site. The mix of measures applied will vary based on site characteristics.

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55. THE FINAL EIS SHOULD PROVIDE MORE INFORMATION AND DISCUSSION ABOUT ANALYSIS AND CONCLUSIONS RELATED TO SEDIMENT TRANSPORT AND DEPOSITION.

A. TO SUPPORT CLAIMS THAT CURRENTLY DEGRADED STEAM CONDITIONS WILL BE REVERSED

1. *There is a significant inconsistency between current assessments of river and stream conditions versus, again, what you augur will happen in some distant future in terms of habitat improvement. As an example, on pages 12 and 130 you summarize these river systems for their existing condition of Cobble Embeddedness, Pool: Riffle Ratios, Large Woody Debris and Percent Surface Fines. This is a pretty good general summation of what condition these rivers are in regarding fisheries habitat. You also show in the same tables what the Forest Service objectives are for each of these components. In the majority of the stream reaches, your own data clearly shows serious shortcomings in stream health. In my limited experience, when rivers and tributary streams are allowed to degrade to this extent, it is extremely questionable if and when they will ever return to any degree of their original condition. Never the less, this DEIS, by subtle suggestion, predicts that eventually, these degrading conditions will be reversed. On page 101, you tell the public that low gradient stream sediment "tends" to have a long residence time but will "eventually" be transported or reorganized by high steam flows. You do not describe the sediment as to whether it is fine or course material nor do you volunteer the fact that often this predicted "high" stream flow will frequently be the source of additional deposits of sediment of varying size and weight. High stream flows can and do move fine sediments, However, when course "bedload" sediments are deposited in the medium gradient stream segments, it fills virtually every depression, including critical pools. You are acutely aware of this. I point this out because the previously referred to tables testify to a very low Pool to Rifle ratio, indicating we are dealing with sediment of a size and weight nature that is not easily transported or reorganized as you imply will happen. It is such incredibly generalized assurances that I challenge. (Individual, Post Falls, ID - #19.6.13100.234)*

RESPONSE:

Further discussion of the characteristics of sediment yield, transport and deposition in the American and Crooked River watersheds is found in Appendix E of the DEIS and FEIS. This includes an explanation of the particle sizes that are expected to be produced from project activities and those that have been sampled in transport at gauging stations in nearby streams. The low pool:riffle ratios in mainstem reaches of American and Crooked Rivers are primarily explained by the dredge mining that took place during the first half of the 20th century. The channel morphology was drastically altered by this practice, with loss of pools being one

outcome. These streams have been partially restored with instream enhancement projects, and this project will further improve the situation in Crooked River with maintenance of existing structures and additional instream enhancements. The dredge mining in American River took place largely below the Forest boundary. Based on channel observations and monitoring in nearby Red River, it is evident that the bedload transport in American and Crooked Rivers consists mostly of sands and gravels. Coarser cobble materials are also transported, but not in excessive quantities that result in significant channel aggradation. The concern with sediment deposition is mostly with fine materials (less than 6mm in diameter) that intrude into coarser substrates. This size of material can be remobilized by high streamflows. Our approach is premised on a reduction in chronic sediment yield, which should result in improved substrate conditions over time. This effect should be further enhanced by instream improvements, which are in part designed to improve sediment transport.

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2. *You offer absolutely no credible evidence that such a corrective process will, in fact take place within any reasonable time frame. (Individual, Post Falls, ID - #19.7.13100.234)*

RESPONSE:

Section 3.3. (Fisheries) of the Final Environmental Impact Statement supplies information pertaining to past research that provides evidence that such corrective activities will improve aquatic condition in the watershed within reasonable time frames. The following is an excerpt from Section 3.3. (Fisheries) of the FEIS. In this work, Idaho Department of Fish and Game employee Russ Kiefer (Fisheries Biologist) makes the following observations:

- Our research indicates that in streams degraded by dredge mining, connecting off-channel ponds to the stream can increase the carrying capacity for chinook salmon parr (Kiefer and Forster, 1991), and complex instream structures can increase the carrying capacity for steelhead trout parr (Kiefer and Lockhart, 1995a).
- We observed a shift in spawning areas by adult chinook salmon to cleaner gravel areas produced by habitat rehabilitation structures in Crooked River (Kiefer and Lockhart, 1993). In streams with more than 30 percent sand in spawning areas, habitat structures that collect cleaner gravel with less than 30 percent should increase smolt production.
- Complex habitat enhancement structures apparently can increase the carrying capacity for age-1+ steelhead trout in streams with low habitat complexity. Dredge mining has reduced the habitat complexity in the upper meadow

section of Crooked River (Middle Crooked River) by forcing the channel against the canyon wall on the east side of the meadow. We observed more than double the density of age-1+ steelhead in complex habitat study sites than we observed in control or simple sill log habitat sites in 1992 (Kiefer and Lockhart, 1995).

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B. BY CHARACTERIZING PARAMETER VALUES, ASSUMPTIONS, POTENTIAL BIAS, AND UNCERTAINTY ASSOCIATED WITH THE NEZSED SEDIMENT MODEL, IN THE ABSENCE OF MONITORING DATA

There is an increasing reliance on modeled parameters at the expense of continuing needed monitoring as required by the forest plan. NEZSED is used as the model in spite of serious problems with it. There is one critiques of NEZSED referenced in the DEIS (Gloss 1995). However, the DEIS fails to capture the serious problems with this model uncovered in that master's thesis.

Even more critical is the omission Hickey's research of WATBAL. NEZSED is a "version" of WATBAL and it is very similar. This peer-reviewed study by Hickey (1997) has documented that the WATBAL model consistently underestimates the amount of sediment actually reaching streams. WATBAL underestimates sedimentation for a number of reasons. One example is that the model assumes that all sedimentation effects front roads significantly diminish after a brief period In fact, as the 1995-96 slides, particularly on the adjacent Clearwater National Forest graphically demonstrated, roads and road failures can continue to contribute sediment to streams, often on a massive scale, for literally decades (McClelland et al. 1997; Pipp et al. 1997; Espinosa, 1998). Another major flaw illustrated by Hickey was the manner in which the model deals with precipitation especially storm events. The model deals with average conditions, and does not consider intense storm events, such as the 1995-96 events. Indeed, the McClelland study similarly noted (Vol. II, p.4) that "WATBAL is not an episodic simulator and was never intended to model events. The program's source information was (and continues to be) based on long-term measured averages." Many of the watersheds that were blown-out by the flooding and landslides in 1995-96 were assessed as "recovered" by WATBAL.

The DEIS claims all is well with water quality, based upon NEZSED and other predictions. This is not based upon monitoring data. (Preservation/Conservation Organization, Moscow, ID - #22.21.13100.234)

The reliance of the project on the NEZSED model is problematic. The FEIS should consider and discuss limitations and requirements of the model to provide accurate estimates for sediment delivery. (Preservation/Conservation Organization, Boise, ID - #15.36.13000.234)

RESPONSE:

The section on model limitations and tests, found in Chapter 3 of the DEIS, has been expanded in Appendix E of the FEIS. The results of four NEZSED model tests are discussed, including a new test by Thomas and King (2004). WATBAL and NEZSED share certain common ancestry with

regard to surface erosion sediment yield and equivalent clearcut area computations. They are different in that NEZSED does not estimate activity-related mass erosion events greater then 10 cubic yards in size, nor does NEZSED compute water yield increases. NEZSED coefficients show that sediment yield from roads decreases after initial construction, but not to zero.

The Hickey (1997) report compared WATBAL results against measured sediment yield data. Although there are similarities between WATBAL and NEZSED, there are enough differences that direct comparisons are problematic. NEZSED has been tested against local field data and those results are presented in Appendix E of the FEIS.

The 1995-1996 storms on the Clearwater and Nez Perce National Forests resulted in numerous landslides from roads. Few if any of these occurred in the American and Crooked River watersheds. This is due in part to the generally low landslide hazard of land types in the project area.

The DEIS did not claim that "all is well" with water quality. It used a combination of field data, observations, modeling and professional judgment to disclose current conditions and estimated effects of the alternatives.

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C. BY CLARIFYING THE RELATIONSHIP BETWEEN SEDIMENTATION, HIGH FLOW EVENTS, AND CANOPY REMOVAL

There is another issue that is being avoided in your DEIS; I suspect this avoidance is intentional as I cannot nor do I believe the Nez Perce NF is unaware of the water release changes brought about by excessive canopy removal. Your DEIS very briefly discusses this problem on page 91 where you refer to research in nearby Horse Creek which "demonstrated instantaneous peak flow increase up to 34 percent and maximum daily flow increases up to 87 percent,". You also cite work done by King and Gerhardt regarding this peak flow problem. Garry Kappesser Studied this phenomena extensively and determined that large, and some not so large, removals of the overstory produced significant changes in snow deposition and melting processes. As referred to in the DEIS, this work has been studied extensively by Mr. King on the H. J. Andrews Experimental Forest in Oregon. Further studies of the effects of large clearcut openings and increased flows has been studied on the H. J. Andrews (see Water Resources Research, Vol. 32, No. 4, April 1996, Jones and Grant; and Vol. 37, No. 1, Jan. 2001, Jones and Grant) which corroborated the conclusions that clear cuts, especially large cut areas, exacerbate the peak runoff of snow melt, causing mi damage to down stream watersheds. The presence of roads significantly aggravates this problem but the excessive sediment deposition is not exclusive to roads alone. This very probably explains, at least in part, the low Pool to Rifle ratios in the American and Crooked River systems. With the typical aggregate size deposited due to these peak flow events, it is extremely doubtful that this sediment or bedload can be removed by a high flow transportation event. Even if such an event does happen (75 to 100 year or greater event) the ensuing damage from that high flow often is counter

productive in correcting past depositions. This DEIS completely ignores or avoids serious discussion of this very common problem.

Your Appendix E, page E-26 shows again, a vague prediction that "vegetation treatments (logging and thinning) will have a Low negative impact over the short term on aquatic conditions but you completely disregard any long term impacts to the hydrologic process due to this logging.

It is for the above reasons that I make the statement that while attempting to reduce fire risk you are probably going to do so at the expense of further degradation of the watershed be cause of the extensive removal of overstory and the inclusion of new "temporary" roads. (Individual, Post Falls, ID - #19.9.13100.241)

RESPONSE:

The DEIS and FEIS disclose the effects of timber harvest on water yield changes, peak flows and stream channels using a combination of research data, field data, ECA modeling and professional judgment. The concerns expressed by the commenter with regard to excessive coarse bedload deposition have not been observed to a large degree in the upper South Fork Clearwater subbasin. This is primarily due to the climate, flow regime, geology and stream types of the area. Refer to the cumulative effects analysis in Chapter 3.

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D. TO SUPPORT QUESTIONABLE CLAIMS THAT TIMBER HARVEST, ON AREAS AT RISK FROM LANDSLIDES, IS NOT OF CONCERN

The DEIS claims, without offering any evidence, that logging in areas with moderate hazard for landslides is not a concern. Given that areas naturally slide in the Clearwater drainage, such an approach if far too cavalier. There is no evidence presented that areas at risk for landslides can be logged without threatening the watershed.

BMPs won't prevent landslides. In fact, Magistrate Judge Erickson sided with plaintiffs on the adjacent Clearwater National Forest on the Fish Bate timber sale. The judge noted (NO. CV-97-208-M-LBE):

Because BMPs have not been assessed for their effectiveness against landslide events and because a high risk of landslides is acknowledged in the Fish Bate preferred alternative, the Court finds it is not reasonable for the Defendants to just summarily rely on BMPs to mitigate this environmental impact Therefore, the Court finds the FEIS conclusion that the project will have no effect on water quality to be arbitrary and capricious based on the undisputed risk of landslides in the FEIS. Accordingly, the decision is reversed and remanded. This issue is applicable here.(Preservation/Conservation Organization, Moscow, ID - #22.24.13100.247)

RESPONSE:

The discussion of landslide analysis and management has been expanded in the FEIS. Please see FEIS, Chapter 3, Section 3.1.

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56. THE NEZ PERCE NATIONAL FOREST SHOULD FACTOR CONCURRENT NEGATIVE IMPACTS ON NON-NATIONAL FOREST LANDS INTO THE SEDIMENT ANALYSIS.

The Forest Service needs to assume that concurrent negative impacts will continue to occur off National Forest lands: "accelerated private land timber harvesting and road building is occurring in American River watershed." (Red River Salvage EA, p. 59) and factor these impacts in these analyses (sediment yield and sediment budget analysis). (Preservation/Conservation Organization, Boise, ID - #15.33.30300.002)

RESPONSE:

The cumulative effects of activities occurring on private lands are accounted for in the FEIS, to the extent that information has been obtained from 2002 aerial photographs and through field knowledge of the area.

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57. THE NEZ PERCE NATIONAL FOREST SHOULD DISCLOSE THE EQUIVALENT CLEARCUT AREA (ECA) AND SEDIMENT YIELD FOR ALL WATERSHEDS.

The Forest Service should disclose the ECA and sediment yield for all watersheds, including both adjacent and project area watersheds, and establish sediment budgets for each watershed. The FEIS must to compare the time required for the sediment loads and ECAs to drop to conditions where beneficial uses are met for all alternatives. (Preservation/Conservation Organization, Boise, ID - #15.31.31100.234)

RESPONSE:

The ECA and sediment yield analyses in Chapter 3 of the FEIS encompasses the entire watersheds of both American and Crooked Rivers. The tributaries that are shown in Tables 3.8, 3.10, 3.15 and 3.17 are those that contain activities associated with the American and Crooked River Project. The last row in each of those tables (labeled Lower American River and Lower Crooked River) includes the ECA or sediment yield from all of the subwatersheds contributing to the mouths of the two rivers. This is further explained in Appendix E, specifically Figures E.1 and E.2, along with the accompanying narrative. The cumulative effects sediment yield analysis for the South Fork Clearwater River covers all known activities that could be modeled upstream of the Nez Perce National Forest boundary. The time frame for this part of the analysis is through 2012. At this point, post-project sediment yield is assumed to have stabilized. ECA continues to recover gradually over time as the forest canopy regrows.

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58. THE NEZ PERCE NATIONAL FOREST SHOULD NOT APPROVE ANY AMENDMENTS NEEDED TO ALLOW PEAK SEDIMENT YIELDS TO EXCEED FOREST PLAN GUIDELINES.

The Forest Service should not approve any amendments needed to allow peak sediment yields to exceed Forest Plan guidelines because that period will likely be

longer than predicted. (Preservation/Conservation Organization, Boise, ID - #15.32.21100.160)

RESPONSE: No such amendments are proposed with this project.

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59. THE FINAL EIS SHOULD PROVIDE EVIDENCE SUPPORTING QUESTIONABLE CLAIMS THAT MITIGATION EFFORTS, SUCH AS DECOMMISSIONING ROADS, CAN OFFSET DAMAGES CAUSED BY TIMBER HARVEST.

There is the continuation of a serious problem in these DEIS's, and this project is replete with this problem, of the very vague assurance to the public that certain mitigation work, such as "decommissioning" older roads, will produce tangible improvements in the watershed; enough so as to offset damage caused by the project itself On page 145, Cumulative Effects, you refer to Table 3 on page 33 as listing of projects that supposedly will have some undefined effect on improving fisheries. Yet, out of a list of 42 projects, there seems to be only one project or activity that could possibly be construed as benefiting fisheries and that, again, is very general by saying "Improving road surface—graveling and grading work". Appendix D does a very good job in detailing mitigation work to be performed under the various alternatives. However, it remains to be seen whether this work is sufficient to truly overcome the negative impacts of the projects main objective and that is to getting 25 MMBF off of the land. (Individual, Post Falls, ID - #19.4.13100.381)

RESPONSE:

The aquatic trend analysis in Appendix E of the FEIS is the documentation leading to the conclusion that an upward trend in aquatic condition is predicted in the long term. This analysis takes into account the positive and negative effects of the project activities in the short and long term.

See response to comment 7, above, for further discussion of fish habitat improvements planned under this action. The proposed action would treat approximately seven percent of the project area. Refer to the tables in FEIS, Chapter 2

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60. THE NEZ PERCE NATIONAL FOREST SHOULD PROVIDE A DETAILED ANALYSIS OF SEDIMENT SOURCES COMPARING CONTRIBUTIONS FROM ROAD DECOMMISSIONING AND NEW ROAD CONSTRUCTION FOR EACH ALTERNATIVE.

The Forest Service should provide a detailed analysis of the sediment sources comparing contributions from road decommissioning and new road construction for each alternative. Predictions of sediment delivery to streams need to take into account the fact that PACFISH and INFISH buffers rely on intact buffer zones not impacted by previous road construction, harvesting, and mining activities. (Preservation/Conservation Organization, Boise, ID - #15.29.30300.234)

RESPONSE:

The sediment yield analysis is done by summing the effects of each project activity that could be modeled. A summary of sediment yield from new road construction, road decommissioning and other project components for the selected alternative is found in the Biological Assessment, which is an appendix to the Record of Decision. We do not believe it necessary to disclose this level of detail for each alternative. Since this information is not directly related to the condition of PACFISH RHCAs, it was determined that it was unnecessary to provide this level of detail for each alternative.

INFISH buffers do not apply to the Nez Perce National Forest.

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61. THE NEZ PERCE NATIONAL FOREST SHOULD QUANTIFY CHANGES IN SEDIMENT LEVELS IN THE SILVER AND QUARTZ CREEKS.

Silver and Quartz Creeks are stated to have high sediment levels, but these levels are not quantified. In order to fully evaluate this project, we believe it would be useful to attempt to quantify these levels and, if possible, document how they may change with the different alternatives. (Federal Agency, Elected Official, Seattle, WA - #24.11.13110.234)

RESPONSE:

This analysis was completed for the FEIS. The results are found in Table 3.17 with accompanying narrative.

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WATERSHEDS

62. THE NEZ PERCE NATIONAL FOREST SHOULD PRIORITIZE WATER QUALITY, FISH POPULATIONS, SOIL PRODUCTIVITY AND WILDLIFE PROTECTION.

Water quality, anadromous fish populations, soil productivity, and wildlife protection must be the priorities of national forest managers, not below-cost timber sales that wreak damage, requiring centuries of nature's repairs. Road-building and clear cutting are not consistent with these objectives, given the cumulative impacts of past sales such as Whiskey South, Blacktail Butte, and Red Pines. (Individual, Minneapolis, MN - #32.2.30000.360)

RESPONSE:

Comment acknowledged. The selected alternative is consistent with the Forest Plan, which considers these values in context.ଔ ଔ ଔ ଔ ଔ ଔ

63. THE NEZ PERCE NATIONAL FOREST SHOULD PROTECT RIPARIAN AREAS.

A. BY PRESCRIBING NEW BUFFER ZONES

The Forest Service should prescribe new buffer zones, which will adequately protect riparian areas from sedimentation stemming from road construction and

management-related mass wasting events. (Preservation/Conservation Organization, Boise, ID - #15.30.31120.234)

RESPONSE:

The Interim Strategies for Managing Anadromous Fish-Producing Watersheds on Federal Lands in Eastern Oregon and Washington, Idaho and Portions of California (PACFISH) and supporting literature (February 24, 1995) establishes default Riparian Habitat Conservation Areas (RHCAs) which were shown to protect streams from management activities. These RHCAs have been incorporated into the design criteria for this project (FEIS Section 3.3).

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B. BY LIMITING ACTIVITIES TO ONLY WATERSHED RESTORATION PROJECTS

According to the DEIS, "Management activities in riparian areas would be minimized," at page 17. Activities in RHCAs should be limited to include ONLY watershed restoration projects. No other activities should be permitted within RHCAs. (Preservation/Conservation Organization, Boise, ID - #15.135.31120.247)

RESPONSE:

No timber harvest is proposed in the streamside RHCAs. Temporary roads have been located to avoid RHCAs. In the event that RHCAs are encountered during construction, these activities will be conducted to minimize impacts following recommendations contained in PACFISH (see response to comment 62, above).

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64. THE NEZ PERCE NATIONAL FOREST SHOULD RESTORE THE WATERSHED.

A. TO SUPPORT FISH POPULATIONS

A better way to contribute to the economic and social well being of the local communities is to repair the decades of abuse the landscape has suffered and restore the watershed so that it supports thriving populations of Chinook Salmon, Steelhead Trout, Bull Trout, Lampreys and other species. There are decades worth of restoration projects in this area needing skilled forest workers. In addition, fishing continues to bring significant income to the local economies. (Preservation/Conservation Organization, Boise, ID - #15.11.30000.800)

RESPONSE:

This project includes all watershed and fish habitat restoration needs identified in the FEIS. See response to comments 7 and 43, above.

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B. FOR AQUATIC LIFE FORMS INCLUDING LISTED AND SENSITIVE FISH SPECIES

One of the most important issues in the area is water quality, watershed health, and hydrological integrity and how they affect aquatic life forms including the listed and sensitive fish species. These fish are an important part of Idaho's heritage and Forest Service has a grave responsibility to ensure fish populations are available to meet the treaties, made between sovereigns, with the Columbia Basin Tribes. Furthermore, all Americans and Idahoans have a keen interest in the recovery of native fish. (Preservation/Conservation Organization, Moscow, ID - #22.17.32300.380)

RESPONSE:

This project has been designed to meet the needs of the aquatic resources, including fish. The Nez Perce NF has pursued an active and ongoing dialogue with the Nez Perce Tribe at key points during the development of this proposed project. Additionally, their advice and input has been sought at various stages and is continually being incorporated into this document. Also refer to the individual response to the Nez Perce Tribe's letters in Appendix M and the response to comment 20.

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C. WITH THE USE OF FIRE

If you are trying to protect watersheds from adjacent fire, why? A little soot in the water from a fire is much better in the watershed than petroleum product spills from logging equipment, and sediment from roads, skid trails, and landings. (Individual, Grangeville, ID - #30.4.31100.270)

RESPONSE:

The project is designed to minimize the risk of introduced sediment and toxics. See FEIS Section 2.3.

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65. THE NEZ PERCE NATIONAL FOREST SHOULD DESCRIBE WATERSHED CONDITIONS THAT EXISTED PRIOR TO THE PRESENCE OF TIMBER HARVEST, RESOURCE EXTRACTION, AND DEVELOPMENT.

A. TO COMPARE TO CURRENT CONDITIONS AND BETTER ASSESS CUMULATIVE IMPACTS

When such information is provided, comparison with the current conditions (after impacts of development) would aid in the assessment of cumulative effects of all alternatives. It appears such information is not available in the DEIS. (Preservation/Conservation Organization, Moscow, ID - #22.19.13100.002)

RESPONSE:

Baseline conditions are identified in the FEIS, Chapter 3, Section 3, Tables 3.24 and 3.27. Both the DFC Analysis (Espinosa, 1992) and the *Revised Matrix Pathways and Indicators of Watershed Condition* (Revised 3/9/98).

These documents and methodologies provide a numeric reference of optimal fish habitat conditions.

The USDA Forest Service with funding from the Bonneville Power Administration began restoration of Crooked River in 1984. This Project will continue the restoration effort in Crooked River, which was begun in 1984. American River has seen similar dredging activity and restoration work. For a cumulative effects discussion refer to the FEIS, Chapter 3, Sections 3.2 and 3.3, and Appendix E.

Both mainstem American River and Crooked River occupy wide valley bottoms. Fifth order streams in this undisturbed setting will typically meander across the valley bottom in a C channel type (Rosgen , 1994). These channels are often lined with hardwoods and provide stable undercut banks with good shade and high quality pools in the meanders. The potential is high for spawning habitat in these areas. A large bucket line dredge (Mount Vernon Boat) was moved to Crooked River in 1938 and operated there till 1942 when activities were curtailed by the War Production Board (Sharon Murray, The Mount Vernon Dredge, ?). In 1939 alone, this dredge moved 218,335 cubic yards of gravel. Dredge mining began again in 1946 for a short time and started again in 1952, continuing until 1958 or 1959. Records (S. Murray) show well over 1,400,000 cubic yards of gravel dug from the Crooked River valley during this period. The dredge mining activities turned several miles of the valley bottom meadow into an almost barren strip of rubble piles and a stream channel devoid of fish habitat features.

The U.S. Forest Service with funding from the Bonneville Power Administration began restoration of Crooked River in 1984. In summary, this project installed over 660 pool and cover-creating instream structures; creation of some 15,000 square meters of juvenile rearing and winter habitat through side channel construction and pond connection; rehabilitation of approximately 9,230 square meters of flood plain; and the planting of some 30,000 hardwood shrubs and small conifers in riparian areas (Siddall, 1992). American River has seen similar bucket line dredging and restoration work. This project will continue the restoration effort in Crooked River began in 1984.

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B. <u>BY USING MEASURES SUCH AS VALUES OF RIPARIAN MANAGEMENT OBJECTIVES</u>

It is not clear from the DEIS whether an environmental baseline for watersheds is included. Generally, this means their condition before development or resource exploitation was initiated. For example, the baseline condition of a stream means the habitat conditions for fish and other aquatic species prior to the impacts of road building, logging, livestock grazing, etc. Proper disclosure of baseline conditions would mean estimates of stream stability, pool frequency conditions, water temperature range -essentially the values of Riparian Management Objectives along with such parameters as sediment levels. (Preservation/Conservation Organization, Moscow, ID - #22.19.13100.002)

RESPONSE:

Section 3.3 of the FEIS identifies baseline conditions using both the DFC Analysis (Espinosa, 1992) and the Revised Matrix of Pathways and Indicators of Watershed Condition (Revised 3/9/98). These documents and methodologies provide a numeric reference of optimal fish habitat conditions that could be expected in undisturbed watersheds (prior to development). Both mainstem American River and Crooked River occupy wide valleys. Prior to development, of which dredge mining was the primary influence, these rivers meandered across the valley bottom. The rivers were likely lined with abundant grasses and woody vegetation providing stable banks and shade. The pool to riffle ratio was likely high with complex and high quality pools providing good quality habitat. Pool tailouts were made up of high quality spawning habitat. The DFC Analysis and Matrix of Pathways and Indicators use reference conditions from similar undisturbed streams to quantify the optimum conditions, and these are referenced to today's measurements to determine existing conditions (FEIS Chapter 3.3)

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66. THE NEZ PERCE NATIONAL FOREST SHOULD DESIGN THIS PROJECT SO THAT IT MEETS EXISTING WATER QUALITY AND HABITAT STANDARDS.

A. TO CORRECT CURRENT VIOLATIONS OF FOREST PLAN AND IDAHO TMDL (TOTAL MAXIMUM DAILY LOAD) GOALS FOR SEDIMENT AND TEMPERATURE

The proposed salvage harvest and road maintenance, reconstruction, and construction design criteria and best management practices need to be designed and implemented to significantly improve existing aquatic conditions. Existing aquatic conditions are in violation of Forest Plan standards for sediment and temperature and must be significantly improved in order to comply with the Forest Plan and the Idaho Department of Environmental Quality TMDLs. (Preservation/Conservation Organization, Boise, ID - #15.133.10400.100)

RESPONSE:

The FEIS recognizes the below-objective conditions of these watersheds. The aquatic trend analysis documented in Appendix E suggests that an upward trend in aquatic condition is expected to be achieved with this project.

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B. *The draft sediment TMDL for the South Fork Clearwater River requires a 25% decrease in sediment, most of which would need to take place in tributaries such as the Crooked River, American River, and tributaries. The Forest Service should consider whether the planned harvest and road construction in these drainages is warranted given the large portion of the South Fork Clearwater sediment budget these watersheds will occupy. (Preservation/Conservation Organization, Boise, ID - #15.28.10400.137)*

RESPONSE:

This project is predicted to result in a net decrease in sediment yield to the South Fork Clearwater River over time (refer FEIS, Chapter 3). An implementation plan for the South Fork Clearwater River TMDLs is scheduled to be completed in 2005. No single project will be expected to achieve the entire TMDL sediment reduction goal. However, this project will contribute toward that goal.

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C. TO AVOID THE NEED TO EXEMPT PORTIONS OF THE PROJECT FROM FOREST PLAN STANDARDS

In order for the project to comply with the Forest Plan, amendments would have to be included to exempt certain portions of the project from Forest Plan standards. While this is true, we do not advocate for Forest Plan Amendments which lower the standards for sediment, soils, Equivalent Clearcut Areas, fish habitat, water quality, stream productivity, or other issues. Instead we urge you to modify the project in order to comply with the existing Forest Plan. (Preservation/Conservation Organization, Boise, ID - #15.50.10400.160)

RESPONSE:

The proposed project is in compliance with the Forest Plan and no amendments would be required.

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D. TO ENSURE THAT THE PROJECT SCHEDULE IS CONSISTENT WITH IDAHO TMDL TIMELINES

We encourage the USFS to evaluate whether the proposed timeline will be consistent with Idaho Department of Environmental Quality's (IDEQ's) draft Guidance for Forest Practices Discharging Sediment Into 303(d) Listed Waterbodies. (Federal Agency, Elected Official, Seattle, WA - #24.17.10400.180)

RESPONSE:

Comment acknowledged. We are familiar with the draft guidance and believe this project is consistent with it.

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E. BY EXAMINING IMPACTS OF ROAD AND LAND USE CHANGES AT SUBWATERSHED LEVEL

The analysis must examine changes in subwatershed and riparian road densities, road/stream crossings, ECAs, and sediment yields above baseline. (Preservation/Conservation Organization, Boise, ID - #15.133.10400.100).

RESPONSE:

Subwatershed road densities and sediment yields above baseline are disclosed by alternative in the FEIS, Chapter 3, Tables 3.7, 3.10, 3.14, and

3.17. Additionally, existing riparian road densities are shown in Tables 3.6 and 3.13. These figures are not expected to change much by alternative since all temporary roads are being decommissioned and few of the existing roads planned for decommissioning are located in riparian areas. Existing stream crossings are shown in Tables 3.21 and 3.22. Although road/stream crossings are not enumerated by alternative, miles of stream with improved access are shown in Tables 3.32 and 3.36.

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F. BY ANALYZING CUMULATIVE EFFECTS WITHIN BIOLOGICAL ASSESSMENTS AND EVALUATIONS

It has been well-established that site- specific Biological Evaluations (BEs) or Biological Assessments (BAs) must be prepared for all actions such as this. Further, the Forest Service Manual requires that BEs/BAs consider cumulative effects. The Forest Service Manual states that project BEs/BAs must contain "a discussion of cumulative effects resulting from the planned project in relationship to existing conditions and other related projects" [FSM 2672.42(4)]. "Existing conditions" obviously are the current conditions of the resources as a result of past actions. (Preservation/Conservation Organization, Moscow, ID - #22.66.10400.130)

RESPONSE:

A site-specific BE has been prepared for this project and is included with the FEIS and ROD. Non-federal activities are included in the cumulative effects section to the BE.

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67. THE FINAL EIS SHOULD INCLUDE ADDITIONAL INFORMATION ON THE ASSUMPTIONS AND PARAMETERS USED TO PREDICT SEDIMENT YIELD AND CUMULATIVE EFFECTS ON WATER QUALITY.

A. *The riparian buffers and watershed restoration activities will have a beneficial effect on reducing sediment loads to the streams; however, there is a need for the EIS to contain additional information on the assumptions and parameters used to predict the sediment yield to streams from the project. (Federal Agency, Elected Official, Seattle, WA - #24.2.21100.234)*

RESPONSE:

The section on model assumptions, limitations and tests, found in Chapter 3 of the DEIS, has been expanded in Appendix E of the FEIS.

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B. *We recommend that the document list any land management activities by private land owners in the South Fork of the Clearwater River basin that may be adversely contributing to sediment and shade targets and therefore having cumulative effects on water quality. (Federal Agency, Elected Official, Seattle, WA - #24.7.21100.234)*

RESPONSE:

The cumulative effects of activities occurring on private lands are accounted for in the FEIS, to the extent that information has been obtained from 2002 aerial photographs and through field knowledge of the area.

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68. THE FINAL EIS SHOULD PROVIDE ADEQUATE ANALYSIS OF THE CUMULATIVE IMPACTS OF THE PROJECT ON THE DEGRADED CONDITIONS IN THE AFFECTED WATERSHEDS

The FEIS must provide adequate analysis of the cumulative impacts of the project on the degraded conditions in the affected watersheds. (Preservation/Conservation Organization, Boise, ID - #15.35.30310.247)

RESPONSE:

The discussion of cumulative effects on watershed conditions are described in Chapter 3 and Appendix E and has been expanded in the FEIS.

The sediment yield analysis in Chapter 3 of the FEIS encompasses the entire watersheds of both American and Crooked Rivers. The tributaries that are shown in Tables 3.35, 3.36, 3.43, and 3.44 are those that contain activities associated with the American and Crooked River Project. The last row in each of those tables (labeled Lower American River and Lower Crooked River) includes the sediment yield from all of the subwatersheds contributing to the mouths of the two rivers. This is further explained in Appendix E, specifically Figures E.1 and E.2, along with the accompanying narrative. The cumulative effects sediment yield analysis for the South Fork Clearwater River covers all known activities that could be modeled upstream of the Nez Perce National Forest boundary.

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69. THE FINAL EIS SHOULD INCLUDE A MORE DETAILED EXPLANATION OF THE ASSUMPTIONS AND ANALYSES THAT WERE USED TO DERIVE FIGURES IN TABLES 3.10 AND 3.17 AND FIGURES 3.1 AND 3.2.

We agree that the watershed restoration activities such as culvert replacements and road regrading and decommissioning would result in an overall long term benefits to stream morphology and water quality. EPA suggests that the final EIS contain a more detailed explanation of the assumptions and analysis that were used to derive figures in Tables 3.10 and 3.17 and Figures 3.1 and 3.2. Also, it is difficult to distinguish the difference among alternatives in these figures. (Federal Agency, Elected Official, Seattle, WA - #24.13.21100.240)

RESPONSE:

The section on model limitations and tests, found in Chapter 3 of the DEIS, has been expanded in Appendix E of the FEIS. Figures 3.1 and 3.2 show little difference among alternatives since they display the results for the entire

American and Crooked River watersheds. Figures E.4 and E.5 graphically show the results for each subwatershed and the differences between alternatives are more apparent.

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70. THE NEZ PERCE NATIONAL FOREST SHOULD INCORPORATE THE DESCRIPTION OF THE WATERSHED IMPROVEMENT PROJECTS ON PAGES D-2 THROUGH D-3 INTO THE BODY OF THE FEIS.

We recommend that the description of the watershed improvement projects on pages D-2 through D-3 be incorporated into the body of the final EIS. It is important that readers understand the scope of the measures and process the USFS will use to select treatments that would be implemented on a site specific basis. (Federal Agency, Elected Official, Seattle, WA - #24.5.21100.247)

RESPONSE:

It was the editor's feeling that this table was too extensive to incorporate into the main text of the FEIS. However, these tables are referenced in the text.

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71. THE NEZ PERCE NATIONAL FOREST SHOULD CONSULT THE IDAHO WATER QUALITY STANDARDS.

TO DETERMINE IF THIS PROJECT MEETS THOSE STANDARDS

Temperature has been identified as exceeding Idaho Water Quality Standards at certain times of the year. Increased sedimentation could alter the channel morphology, further increasing water temperatures in the streams. This problem is further highlighted on page 14 of the DEIS, "Short-term increases in sediment yield from proposed activities might contribute to degraded substrate conditions and further reduce carrying capacity and quality of spawning habitat." This indicates that existing "poor" conditions are likely to deteriorate and with the implementation of this project will lower even further. (Preservation/Conservation Organization, Boise, ID - #15.26.34000.246)

RESPONSE:

Water temperature increases are not predicted to occur as a result of this project. Increases in sediment yield are not estimated to be of a magnitude that would result in changes in channel morphology. Draft guidance posted on the IDEQ website on April 8, 2004, indicates that short-term increases in sediment yield may be allowable as long as beneficial uses are not impaired. It will be up to IDEQ to determine if the impacts predicted to occur with this project are of a magnitude that would impair beneficial uses.

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72. THE NEZ PERCE NATIONAL FOREST SHOULD WORK WITH THE BLM AND THE NEZ PERCE TRIBE TO DESIGN A CUMULATIVE WATER QUALITY IMPACT MONITORING PLAN FOR THE SOUTH FORK CLEARWATER RIVER.

We highly recommend the Forest Service and BLM work with the Nez Perce Tribe to design a cumulative water quality impact-monitoring plan for the South Fork Clearwater River. With so much activity planned over a relatively short time period in drainages tributary to the South Fork, a credible monitoring plan that can satisfy public concerns is necessary. (Timber/Wood Products Industry, Kamiah, ID - #5.15.30100.240)

Also, because of the variety of fuel reduction projects that are approved or being planned in the Elk City area, we suggest that your Forest work cooperatively with the BLM in developing an integrated monitoring plan for the affected streams in the upper South Fork Clearwater River to assure that water quality objectives are being met. (Place Based Group, Lewiston, ID - #3.7.30100.246)

RESPONSE:

Response to both comments: The Nez Perce National Forest is committed to working with the Nez Perce Tribe, state and federal agencies and the South Fork Clearwater Watershed Advisory Group to develop a monitoring plan for the South Fork Clearwater River.

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73. THE NEZ PERCE NATIONAL FOREST SHOULD COMPLETE WATERSHED IMPROVEMENT PROJECTS THAT ARE EFFECTIVE.

While the scoping notice states that watershed improvement projects are an integral part of all alternatives, we are concerned that these improvement projects are merely attempts to mitigate for increased logging and are ineffective in actually improving conditions over current conditions. (Preservation/Conservation Organization, Boise, ID - #15.132.31100.720)

RESPONSE:

A subset of the aquatic improvement projects are required in order to meet the upward trend requirements in Appendix A of the Forest Plan, TMDL goals and Endangered Species Act requirements. Additional projects are considered discretionary in the Record of Decision and will be implemented as staff and funding allow. We believe that these projects have a high probability of being successful at promoting an upward trend in aquatic conditions. The documentation for this conclusion is found in the aquatic trend analysis in Appendix E.

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74. THE FINAL EIS SHOULD DETAIL REASONS FOR THE SEVEN YEAR LAG BETWEEN COMPLETION OF WATERSHED RESTORATION ACTIVITIES AND SEDIMENT REDUCTION BENEFITS.

Although we realize that watershed restoration activities cannot be completed at the same time as timber harvest, EPA suggests that the final EIS describe in more detail the reasons for the seven year period from the time of project completion to achieve sediment reduction benefits. (Federal Agency, Elected Official, Seattle, WA - #24.16.12300.234)

RESPONSE:

The "seven-year lag" presumably refers to the years 2005 and 2012 shown in Tables 3.35, 3.36, 3.43, and 3.44. These are key points in the sediment yield modeling process only. They are not meant to imply when improvement projects might be implemented or effective. The year 2005 is the assumed peak year of sediment yield and 2012 is as far as the modeling was carried into the future. The graphs in Figures E.4 and E.5 display the model results of each year, individually. Some improvement projects are immediately effective upon implementation, while the benefits of others accrue over time.

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75. THE NEZ PERCE NATIONAL FOREST SHOULD NOT HARVEST TIMBER.

BECAUSE TIMBER HARVESTING AFFECTS WATER QUALITY

The cumulative impact of the timber sales in the Whiskey South, Meadow Face, Red Pines, Blacktail Butte, and Eastside Township and this one should be considered. Logging has not shown to make the watershed quality any better. It makes it worse, by creating areas that are easily erodible from removed vegetation. (Individual, Coeur D Alene, ID - #11.2.34000.247)

RESPONSE:

Percent ECA and percent sediment yield over base were included in the South Fork Clearwater River cumulative effects analysis for Whiskey South, Meadow Face, Red Pines, and Eastside Township projects. These figures were not yet available for the Blacktail project. The effects of logging on watershed resources and water quality are disclosed in Chapter 3 of the FEIS.

76. THE NEZ PERCE NATIONAL FOREST SHOULD ANALYZE IMPACTS THE PROJECT WILL CREATE ON THE BENNETT PROPERTY AS WELL AS TO OTHER PRIVATE LAND HOLDINGS.

The Forest Service needs to analyze the impacts of clear cutting, road construction, mining, construction, travel and management on Bennett property as well as other private lands in the watershed. (Preservation/Conservation Organization, Boise, ID - #15.144.30300.650)

RESPONSE:

A site-specific BE has been prepared for this project and is included with the FEIS and ROD. Non-federal activities are included in the cumulative effects section to the BE.

The cumulative effects of activities occurring on private lands are accounted for in the FEIS, to the extent that information has been obtained from 2002 aerial photographs and through field knowledge of the area.

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SECTION 4 - FISHERIES

77. THE NEZ PERCE NATIONAL FOREST SHOULD MAINTAIN AND IMPROVE ALL RESOURCE ATTRIBUTES, INCLUDING WATER QUALITY AND FISH HABITAT.

BECAUSE THE FOREST HAS LEGAL RESPONSIBILITIES TO TRIBAL TREATIES AND THE PUBLIC:

The Forest Service, as a publicly supported entity has legal commitments to the Nez Perce Tribal treaty rights and to the public to maintain and improve water quality, fish habitat, and an intact forest for all to enjoy. (Individual, Coeur D Alene, ID - #11.5.10000.002)

RESPONSE:

The Nez Perce National Forest Land and Resource Management Plan (USDA FS, 1987a) recognizes this commitment to the Nez Perce Tribe in Forestwide Management Direction (page II-18). Furthermore, the Nez Perce NF has pursued an active and ongoing dialogue with the Nez Perce Tribe at key points during the development of this proposed project. The Tribe's advice and input have been sought at all phases and are continually being incorporated into this document. Also, refer to the individual responses to the Nez Perce Tribe's comments section in this document.

The commitment to the public to maintain and improve water quality and fish habitat is detailed in the FEIS, Chapter 3, Section 3.3.

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78. THE FINAL EIS SHOULD ADDRESS THE RELATIONSHIP BETWEEN WATER QUALITY AND FISH HABITAT.

The DEIS fails to draw adequate attention to the obvious relationship between water quality and fish habitat. The linkages between these issues need to be fully explored in the FEIS. (Preservation/Conservation Organization, Boise, ID - #15.34.21100.381)

RESPONSE:

The FEIS, Chapter 3, Section 3.3 Analysis Methods, clearly shows and recognizes the important linkage between fish and water quality. Both resource areas (Fisheries and Watershed) document existing conditions and

changes resulting from this planned action using common indicators of condition like sediment, water temperature, and water yield.

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79. THE NEZ PERCE NATIONAL FOREST SHOULD ENSURE THAT ALL RIPARIAN AREA ACTIVITIES CONFORM TO PACFISH (PACIFIC ANADROMOUS FISH STRATEGY) AND INFISH (INLAND NATIVE FISH STRATEGY) STANDARDS

All activities within riparian areas should conform to PACFISH and INFISH standards. (Preservation/Conservation Organization, Boise, ID - #15.123.10400.170)

RESPONSE:

Forest Plan Amendment #20 incorporates all of the standards and guidelines of PACFISH. As a result, this project is in conformance with PACFISH. INFISH does not apply to the Nez Perce NF, as it relates to areas supporting bull trout without anadromous fish. The FEIS Appendix E highlights and recognizes that activities will be managed to conform to PACFISH.

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80. THE FINAL EIS SHOULD INCLUDE THE PACFISH PRESCRIBED BUFFER WIDTHS.

PACFISH buffers are referenced many places in the DEIS without explanation of the buffer widths associated with them. We recommend that one section of the final EIS contain the PACFISH prescribed buffer widths. (Federal Agency Official, Seattle, WA - #24.9.21100.380)

RESPONSE:

Comment acknowledged. The FEIS, Chapter 3, Section 3.3, details the PACFISH RHCA widths.

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81. THE NEZ PERCE NATIONAL FOREST SHOULD CONSIDER THE LOCATIONS OF LOGGING AND ROAD BUILDING.

BECAUSE OF PACFISH BUFFERS

The DEIS assumes that PACFISH buffers will work and are intact. However, road locations in the Crooked and American Rivers and past logging have compromised many buffers. They are not fully functioning. (Preservation/Conservation Organization, Moscow, ID - #22.25.22500.240)

RESPONSE:

The FEIS, Chapter 3, Section 3.2 recognizes that the existing conditions of stream corridors have been affected by past activities. Watershed Condition shows existing road density and timber harvest in RHCAs. This action recognizes the importance of RHCAs and activities will be designed to protect these areas. Where activities do occur in RHCAs, they will be designed to

meet the Riparian Management Objectives (RMOs) as defined in the Forest Plan and PACFISH.

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82. THE FINAL EIS SHOULD ADDRESS OPPORTUNITIES TO REDUCE THE RISK OF ADVERSE EFFECTS TO BULL TROUT.

The Department recommends that the Forest seek opportunities in the FEIS to further reduce the risk of adverse effects to bull trout by either decreasing the amount of road construction and harvest acres in the most critical areas, or by expanding the watershed improvements closer to what is shown in Alternative E, or a combination of both. We believe that taking proactive steps to improve conditions in affected watersheds will reduce the risks to bull trout conservation and recovery associated with multiple concurrent fuels treatment projects within the same sub-basin. (Federal Agency Official, Portland, OR - #35.4.23400.380)

RESPONSE:

Comment acknowledged. The selected alternative (Alternative D, modified) reflects an increased emphasis on watershed restoration.

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83. THE NEZ PERCE NATIONAL FOREST SHOULD CONSIDER CUMULATIVE EFFECTS ON THE BULL TROUT IN UPPER SOUTH FORK CLEARWATER DRAINAGE DUE TO FOREST SERVICE AND BLM FUEL TREATMENT PROJECTS.

Bull trout conservation and recovery is of particular concern in the Upper South Fork Clearwater drainage where many fuels treatment projects similar to the Project are currently proposed, including the Bureau of Land Management's Whiskey South and Eastside Projects and the Forest's Red Pine Project. Concurrent implementation of these fuels treatment projects and similar activities on private lands have a high potential for cumulative and additive effects to all aquatic resources, including bull trout. (Federal Agency Official, Portland, OR - #35.3.30300.380)

RESPONSE:

The FEIS Record of Decision (ROD) lists the projects you mention. These activities are considered in the Cumulative Effects, Section 3.2 and 3.3. The ROD also contains the final Biological Assessment in which it is recognized that there will be a short period of increased sedimentation associated with vegetation treatments, road construction/reconstruction, road decommissioning, culvert replacement, and in channel improvements (FEIS, Section 3.3, Environmental Consequences). This same section also highlights that following this short term pulse of sediment will be a long term improvement in fish habitat carrying capacity. This long term improvement will result from culvert replacement leading to increased stream access, road decommissioning, riparian planting leading to increased stream shade, and up to 20 miles of in channel stream improvements. These actions will in turn lead improved conditions for bull trout and other TES fish species.

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SECTION 5 - FIRE AND FUELS

84. THE NEZ PERCE NATIONAL FOREST SHOULD CONDUCT FUEL REDUCTION.

A. FOR WATER QUALITY

Fuel reduction is essential to protect long-term water quality from the severe impact of catastrophic wildfire. Without adequate streamside vegetation, sediment and high water temperatures will damage fish populations. (Timber/Wood Products Industry, Kamiah, ID - #5.2.33400.246)

RESPONSE:

Fuel reduction would help to lessen the potential fire effects to riparian areas located near the proposed treatment units, by lowering the possibility of a severe fire burning into the riparian areas. Additionally, minimal vegetative treatment activity would occur within the riparian areas thus conserving current vegetation to offer streamside shading and sediment trapping. Furthermore, as stated in the FEIS, Section 1.4, PACFISH RHCA buffers would be in place for the duration of the project.

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B. WITH MANUAL REMOVAL OF FINE FUELS

Any and all concern about fuels should focus on the manual removal of fine fuels (dead grass, deal limbs, twigs on the ground, cones and needles, and Christmas tree sized live trees: within 200 feet of a house or barn. (Individual, Grangeville, ID - #30.8.33400.271)

RESPONSE:

While it is acknowledged that an efficient and effective method to protect structures is by conducting work within the home ignitability zone, structure protection is not the primary purpose and objective of this project (refer to FEIS, Chapter 1, Section 1.3). Additionally, the Crooked River Defensible Space project, which was scoped September 13, 2004, proposes to complete vegetative management within 200 feet of private structures adjacent to lands managed by the Forest Service.

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C. FOR BIG GAME SUMMER HABITAT

Both timber harvest and controlled burns will significantly increase big game summer habitat, benefiting the stressed elk population of the Clearwater Basin. (Timber/Wood Products Industry, Kamiah, ID - #5.4.23100.160)

RESPONSE:

Comment acknowledged. Harvest and burning will help create and rejuvenate nutritious forage plants as discussed in the FEIS, Chapter 3, Section 3.11.

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85. THE NEZ PERCE NATIONAL FOREST SHOULD CONSIDER QUESTIONS ABOUT THE EFFECTS OF CLIMATE CHANGE, LOGGING, AND FIRE SUPPRESSION IN THE AREA.

Questions need to be asked about the effects of climate change, logging, and fire suppression in this area. It is possible that all have irrevocably altered site potential.

For example, Tiedemann et. al. (2000) challenge the use of "historic range of conditions" and call into question the whole notion that we can, or even should, try to replicate such conditions by stating:

"Nearly 100 years of fire exclusion, possible climate changes, and past management practices may have caused these communities to cross thresholds and to reside now in different steady states."

It may be impossible to differentiate between the roles played by climate change and fire suppression. Some research suggests that the effects of both may be similar. (Preservation/Conservation Organization, Moscow, ID - #22.37.30300.330)

RESPONSE:

This discussion draws upon Mote et al., 2003.

The cumulative effects of climate change, fire suppression, and short-term climatic variability can interact to result in altered fire regimes, over which management may have little control, and our ability to predict such changes at a local scale must be considered tentative. Historically, sever fire years tended to occur synchronously over large areas, coinciding with regional drought periods (Barrett et al., 1997). Drought effects were strongly influenced by more variable factors including large dry-lightning storms that produced mass ignitions, and occurrence of strong winds during fire events.

If we experience a trend toward warmer, wetter conditions, as several climate models suggest, but with the increased precipitation occurring in primarily in the winter, there would be more severe summer moisture deficits. These may control species distribution, productivity, and fire regimes. If prolonged seasons of moisture deficits occur over a wider area, larger areas could be prone to lethal fire, at least until species and stand structure equilibrate to more frequent fire, assuming both frequency and intensity of drought increase. Changes in wind, insects, and disease are also likely, probably in the direction of increased drought stress and more susceptibility to pathogens.

This project considers the direction of those changes in deciding species of trees to favor in management, and stand structures that would be resistant to increased likelihood of seasonal moisture deficits. The emphasis on maintenance of Douglas fir, ponderosa pine, and western larch and more open stand structures is in accord with such a strategy.

Helping forests to adapt to climate variation and climate change means we must keep connectivity of species and gene pools across wide areas, so there are not barriers to migration. This means maintaining species distribution and abundance across landscapes, and providing for both incremental and reset

events that support gradual shifts in species dominance or migration to newly suitable habitats. Use of fire and judicious harvest may help in this regard.

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86. THE NEZ PERCE NATIONAL FOREST SHOULD DESIGN A LONG-TERM VISION FOR THE FUEL REDUCTION PROJECT AREA.

The DEIS also discussed Fuel Reduction Effectiveness and states as one of its purposes to " Reduce the risk of large-scale crown fire by creating vegetative patterns through harvest." Much of the project area has already been fragmented through past logging, road construction, thinning, natural and human burns, dredging and other disturbances. What is the long-term vision for the project area? According to the aerial photo provided for the August 8, 2003 field trip to the project area, much of the project area has already been subjected to "active management." We are curious what the end result would look like, and whether or not the Forest Service foresees additional projects in the near future to continue to "break up fuel continuity." (Preservation/Conservation Organization, Boise, ID - #15.21.33400.279)

RESPONSE:

The long-term vision for the project area is being addressed in multiple planning efforts. All will require integration of complex terrestrial, aquatic, and social concerns, and integration with BLM activities. In American and Crooked River, concerns include high aquatic potential, past management impacts, mixed and stand replacing fire regimes, intermingled homes and communities, and nearness to wilderness and roadless areas.

At the state and national scales, the Idaho Cohesive Strategy (http://www.fs.fed.us/r4/id_fire_assessment/descriptions.html) and LANDFIRE (http://www.landfire.gov/) are projects designed to develop consistent and accurate data of vegetation conditions, fire fuels, risks, and ecosystem status at the national, regional, and local scales for implementation of the National Fire Plan. These projects could be used to prioritize areas for fuel treatments, which might target areas within these watersheds. However, neither project provides guidance on landscape design or how to reconcile conflicting terrestrial, aquatic, and social values.

In the short term, and at the forest scale, a vegetation management strategy is being developed that considers, by subwatershed, issues of aquatic values and sensitivity, and vegetation and fire risk in comparison to natural disturbance dynamics. The social context and the suite of appropriate management tools are also considered. This is in progress.

In the longer term, forest plan revision may provide additional guidance that helps establish objectives for watershed condition and landscapes considering terrestrial, aquatic, and social factors.

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87. THE NEZ PERCE NATIONAL FOREST SHOULD SECURE FUNDING FOR MAINTENANCE OF FUEL TREATMENT AREAS.

It would be useful for the final EIS to describe the funding source for long term maintenance of these areas. Existing information strongly suggests that fuels treatment areas that are not properly maintained over the long-term can increase the risk of fire as slopes are opened up to sunlight and undergrowth is stimulated. (Federal Agency Official, Seattle, WA - #24.25.14120.273)

RESPONSE:

The Nez Perce National Forest will continue to seek funding for the maintenance of fuel treatment areas. Current sources include appropriated funds, trust funds, monies from the North Central RAC (Resource Advisory Committee) and The Rocky Mountain Elk Foundation. All of these funds fluctuate from year to year and must be competed for with other Forests and Regions.

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88. THE NEZ PERCE NATIONAL FOREST SHOULD REDUCE THE RISK OF WILDFIRES.

A. TO PROTECT FOREST HEALTH, WATER QUALITY, HUMAN LIFE, AND PRIVATE PROPERTY

By reducing the risk of wildfire, you are protecting forest health and water quality as well as human life and private property. (Individual, Lewiston, ID - #7.3.33000.002)

RESPONSE: Comment acknowledged

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B. WITH THE CONNECTION OF CLEARCUTS

In terms of hazardous fuels reduction and structural protection, this project, as designed, is both inefficient and ineffective. Much of the surrounding area has been heavily logged and, in the interest of community protection, "connecting the clear cuts" could be more effective than laying out units on the basis of pine beetle mortality, and/or economic factors. (Preservation/Conservation Organization, Boise, ID - #15.106.33000.279)

RESPONSE:

The project would create breaks in the continuity of fuel arrangement within the project area. These breaks would help to achieve two purposes; the first would be to modify the fire behavior to produce a less intense fire. Also by lowering the fire intensity these breaks will slow and modify the fire spread (Finney 2001) and give suppression resources a safe area to initiate suppression responses. The proposed treatment units would tie in with the past harvesting within the area to create the spatial patterns referred to by Finney for landscape treatment to modify the fire behavior.ଔ ଔ ଔ

C. TO PROTECT WILDLAND-URBAN INTERFACE AREAS

1. *Creation and maintenance of an extensive fuels treatment network has the potential to adversely affect water quality and wildlife habitat. We agree with the USFS goal of concentrating fuels treatment areas near urban interface areas. We also recommend attempting to locate them in areas where impacts to water quality and sensitive habitats will be minimized and where the vegetation is adapted to frequent fire return intervals. (Federal Agency Official, Seattle, WA - #24.24.33400.240)*

   RESPONSE:

   Fuels treatments can affect wildlife species and their habitats (See FEIS, Chapter 3, Section 3.11). Forest Plan standards as well as the mitigation and design factors applied to this project help reduce or eliminate most risks (Refer to Chapter 2). Some of these include protection of old growth and replacement stands, protection of buffers around goshawk nests, incorporation of road decommissioning, reporting newly discovered dens and nests of federally listed species and rare species, and protecting key habitat components all help eliminate adverse impacts. (See FEIS, Chapter 2, Table 2.3)

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2. *While clear [purpose and objectives], you may have expanded on the need to protect the Elk City community. This project is but a part of the master plan to treat rapidly deteriorating forests that provide a major threat to the Elk City community by decreasing dangerous, unnatural fuel levels. (Timber/Wood Products Industry, Kamiah, ID - #5.1.33000.271)*

   The project will also help fireproof Elk City and provide some much-needed forest product resources to the local economy. (Recreation/Conservation Organization, Moscow, ID - #1.2.33470.810)

   If there is to be any type of project, it needs to be located within the wildland urban interface in order to provide protection from wildfires. (Preservation/Conservation Organization, Boise, ID - #15.8.23000.271)

   RESPONSE:

   While conducting fuels treatments only near the wildland-urban interface areas would help to protect these areas, it would not reduce fuel loadings in the outlying areas away from the WUI. By not treating those outlying areas, the treatments would not fully meet the purpose of the project (FEIS, Chapter 1).

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89. THE NEZ PERCE NATIONAL FOREST SHOULD RELY ON BEST AVAILABLE SCIENCE TO REDUCE RISK, INTENSITY, AND SEVERITY OF FIRES.

A. BY CONSIDERING THE WILDLAND FIRE USE PROGRAM PRIOR TO IMPLEMENTING FUELS REDUCTION OUTSIDE WUI AREAS

Once the WUI areas on the Nez Perce National Forest have been treated, it may be appropriate to consider fuels reduction efforts extending into the forest in order to restore certain and selected fire-adapted ecosystems. However, such future projects must be based on the "best available science" that relates to reducing the intensity and severity of wildland fire. Further, the Wildland Fire Use program may be a cost-efficient and effective method to reduce fuel loads, restore fire-adapted ecosystems and to create heterogeneous landscapes that would be less prone to large-scale fire events. We are aware that WFU is outside the scope of this project, but feel that it is pertinent to consider the potential for WFU in certain areas, in lieu of currently proposed logging. (Preservation/Conservation Organization, Boise, ID - #15.92.13000.330)

RESPONSE:

While a Wildland Fire Use (WFU) program may be a cost-effective method to reduce fuel loads and restore fire adapted ecosystems, the Forest Plan and Fire Management Plan currently do not allow for WFU within any portion of the project area. Without the authority for WFU all fire ignitions within the project area require a suppression response.

The analyses conducted as part of the FEIS are based on thorough application of the best scientific information currently available to the project Interdisciplinary Team. The information considered consists of scientific literature, research findings, models and other information that apply to local conditions within the project area or similar conditions in other nearby areas that are relevant and can be extrapolated to the area affected by the project. Use of the best science in the evaluation of this project includes consideration of opposing viewpoints and disclosure of model and data limitations. Further, the Forest's consideration and use of science has been coordinated with and reviewed by other technical experts. Any comments received by those experts have been considered and, as appropriate, included in the FEIS.

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B. BY ACKNOWLEDGING THAT FUELS REDUCTION IS AN UNPROVEN SCIENCE AND ROADS CAN EXACERBATE RUNOFF AND SEDIMENTATION

The DEIS acknowledges that the existing road network has negatively impacted the watershed and that a fire would multiply these effects: "If the heavy fuel accumulations were to burn under extreme conditions, the large number of roads in the analysis area would tend to exacerbate an increase in run-off and associated sedimentation from the burned area during post-fire precipitation events" (P. 3). Instead of taking a logical approach of reducing the road system, the Forest Service plans on removing the fuels using more roads, relying on unproven science to justify these actions. (Preservation/Conservation Organization, Boise, ID - #15.57.13000.410)

RESPONSE:

No new, permanent road construction will occur with this project, and all temporary roads constructed to facilitate treatment activities will be decommissioned within a three-year period following their construction. Refer to FEIS, Chapter 2, Tables 2.1 and 2.2. In addition, a minimum of 19.7 miles of existing road will be decommissioned with this project (refer to Appendix D in the FEIS). Additional miles of existing road may be decommissioned at the discretion of the deciding official as stated in the ROD.

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C. BY CONSIDERING HOME IGNITABILITY AND EVIDENCE SUGGESTING THAT FUEL REDUCTIONS NEED ONLY OCCUR WITHIN TENS OF METERS FROM STRUCTURES

The FS (Cohen, 1999) reviewed current scientific evidence and policy directives on the issue of fire in the wildland/urban interface and recommended an alternative focus on home ignitability rather than extensive wildland fuel management:

The congruence of research findings from different analytical methods suggests that home ignitability is the principal cause of home losses during wildland fires. Home ignitability also dictates that effective mitigating actions focus on the home and its immediate surroundings rather than on extensive wildland fuel management.

[Research shows] that effective fuel modification for reducing potential WUI fire losses need only occur within a few tens of meters from a home. not hundreds of meters or more from a home. This research indicates that home losses can be effectively reduced by focusing mitigation efforts on the structure and its immediate surroundings. Those characteristics of a structure's materials and design and the surrounding flammables that determine the potential for a home to ignite during wildland fires (or any fires outside the home) will, hereafter, be referred to as home ignitability.

The evidence suggests that wildland fuel reduction for reducing home losses may be inefficient and ineffective. Inefficient because wildland fuel reduction for several hundred meters or more around homes is greater than necessary for reducing ignitions from flames Ineffective because it does not sufficiently reduce firebrand ignitions (Cohen, 1999)

That research also recognizes "the imperative to separate the problem of the Midland fire threat to homes from the problem of ecosystem sustainability due to changes in wildland fuels" (Id). (Preservation/Conservation Organization, Moscow, ID - #22.3.13100.270)

RESPONSE:

While it is acknowledged that an efficient and effective method to protect structures is by conducting work within the home ignitability zone, structure protection is not the primary purpose and objective of this project (refer to FEIS, Chapter 1, Section 1.3). Additionally, the Crooked River Defensible Space project, which was scoped September 13, 2004, proposes to complete

vegetative management within 200 feet of private structures adjacent to lands managed by the Forest Service.

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D. BY APPLYING RESEARCH BY JACK COHEN REGARDING RISK OF STRUCTURAL FIRE

If you are trying to protect human structures and improvement, why is the DEIS silent about the recent research finding by Forest Service fire physicist Jack Cohen? Applying the Cohen finding to human structures, so when a fire does get started, the risk of the structure burning is greatly reduced. (Individual, Grangeville, ID - #30.5.13110.400)

RESPONSE:

Comment acknowledge. Refer to response to comment 89(C), above.

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E. BY EVALUATING THE UTILITY OF FIRE SCARS TO ESTABLISH FIRE REGIMES IN A VARIETY OF FOREST TYPES

Baker and Ehle paper calls into question the use of fire scars in establishing mean fire intervals and suggests that previous reports based upon lire scars may be biased. Most research, including that in the supporting documents for the South Fork Clearwater, is based upon fire scars.

Regardless of whether Baker and Ehle are right, those using fire scars to establish fire regimes are right, none are right, or all have validity, the fact remains these scientists appear to have somewhat different view of ponderosa pine systems, or at least what we think we know about them. The same questions about fire scars need to be asked about other forest types as well. This should have been fully recognized and evaluated in the DEIS. (Preservation/Conservation Organization, Moscow, ID - #22.49.13110.277)

RESPONSE:

The focus of the paper by Baker and Ehle was on nearly pure ponderosa forest, which make up a small portion of the project area. Ponderosa pine systems are of very limited extent in the project area. The fire regimes shown in Maps 9a and 9b of the FEIS are derived using the potential vegetation data derived from the Idaho Cohesive Strategy (http://www.fs.fed.us/r4/id_fire_assessment/id_haz_risk_review.html). They show areas of frequent non-lethal fire limited to small warm steep slopes, mostly in Crooked River.

Fire scar studies must be combined with landscape scale age-class studies to understand fire regimes and fire patterns in areas of mixed and lethal fire such as the project area. This has been done in the course of preparation of the South Fork, Selway, and Slate Creek assessments (USDA FS, 1997a, 1998, 2001), in which thousands of timber stand exam plots were analyzed for evidence of non-lethal, mixed severity, or lethal fire. We summarized these data by Vegetation Response Unit and the inferred fire regimes are presented in those assessments by VRU. Fire

ecology compilations such as Kapler-Smith and Fischer (1997) were also used to validate these interpretations, and traditional fire scar studies were used in areas of frequent low severity fire.

Baker and Ehle state in their paper that mean fire intervals based on fire scar data may have uncertainties and biases and actually lead to longer fire intervals than previously thought. They also state that fires are also unrecorded upon trees (i.e., no fire scar), "Trees are often charred by a surface fire, but fires do not always leave scars in particular areas or even a whole stand, so fires may be unrecorded in fire scars", "It is uncertain for example, whether a tree without a scar did or did not burn in a fire that scarred nearby trees", and "The abundance of unrecorded fires is largely unknown." This lack of an evident fire scar may actually lead investigators to infer longer fire intervals than actually occurred.

Additionally, while Baker and Ehle suggest that there may be uncertainties in the use of fire scars to determine fire intervals, they do not offer any suggestions to reduce or mitigate these biases other than bracketing fire intervals, which is what we have done in using fire regimes and an associated range of fire intervals (e.g.,. 75 to150 years for infrequent fire regimes) for this project.

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F. BY CONSIDERING EVIDENCE SUGGESTING THAT STAND-REPLACEMENT FIRE IS NORMAL

Baker and Ehle paper calls into question the use of fire scars in establishing mean fire intervals and suggests that previous reports based upon lire scars may be biased. Most research, including that in the supporting documents for the South Fork Clearwater, is based upon fire scars.

Regardless of whether Baker and Ehle are right, those using fire scars to establish fire regimes are right, none are right, or all have validity, the fact remains these scientists appear to have somewhat different view of ponderosa pine systems, or at least what we think we know about them. The same questions about fire scars need to be asked about other forest types as well. This should have been fully recognized and evaluated in the DEIS. (Preservation/Conservation Organization, Moscow, ID - #22.49.13110.277)

The DEIS indicates that large stand-replacing fires are not desired. Yet, they were in the range of variability.

The attempts at breaking up the landscape to prevent or reduce large, stand-replacing fires may be useless. If not, there is no real need to create anymore breaks in the landscape as any aerial photograph or satellite imagery will attest much has already occurred in those two drainages (see also DEIS maps 14 a and b).

One of the major assumptions in the DES is that the no action alternative will increase the probability of stand-replacing fires. Yet, that assumption is not quantified. What will it do, increase it by 1%, 50% or 90%? Without some quantification, so-called stand-replacing fife prevention under the various action

alternatives is meaningless. (Preservation/Conservation Organization, Moscow, ID - #22.52.13110.277)

RESPONSE:

Stand replacing fire, and the pulse watershed responses that ensue, are intrinsic to historic and projected fire activity in the American and Crooked River watersheds. The FEIS Chapter 1 - Conditions Contributing to the Purpose and Need for Action, describes vegetation changes associated with past fire suppression, succession, and mountain pine beetle activity. These are believed to contribute to an enhanced potential for transition from a ground fire to a crown fire, which could contribute to increased fire size or severity under moderate burning conditions, and increased difficulty of suppression. Current developing fuel conditions may have occurred historically in these fire regimes, but the with the proximity to Elk City and other residences and developments, large fires may not be socially acceptable due to possible loss of life, property and/or resources. Additionally, with no Wildland Fire Use plan for the project area, the Forest Plan requires that suppression actions take place to control all new fire starts within the project area. This sets a management context under which some harvest and fuel reduction could be designed to increase fire suppression effectiveness under moderate burning conditions (Finney, 2001). A robust program of watershed improvements (see Appendix D) should help improve resiliency to fire when one does occur.

Quantifying the probability of a stand replacing fire occurrence is impossible without specifying climate, ignition, burning weather and time frame. Without those parameters, it can be assumed that the probability of a stand replacing fire occurring under normal conditions would be 100%. The estimate that the no-action alternative would increase the probability of stand-replacing fire is based on the premise that strategic placement of fuel reduction areas in relation to existing areas of low potential for fire spread or low resistance to control can help fire suppression be more effective, which could prevent a small fire from becoming large, if burning conditions are not severe (Finney, 2001). This is described in the FEIS, Chapter 3, Section 3.4.

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G. BY APPLYING LANDSCAPE-SCALE FIRE MODELING TO DETERMINE LOCATIONS OF TIMBER HARVEST PRESCRIPTIONS

In order to be more efficient and effective, the NPNF should apply landscape scale fire modeling, i.e. using FARSITE, to determine what the effects of the proposed treatments would be. Such an analysis could also help to determine more effective location of logging and silvicultural prescriptions in the interest of reducing rates of fire spread, intensity and severity. (Preservation/Conservation Organization, Boise, ID - #15.107.13000.270)

RESPONSE:

The Nez Perce NF does not currently have good enough data for this type of modeling to be effective over the whole forest.

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H. BY CONSIDERING EVIDENCE SUGGESTING THAT FIRE SUPPRESSION AND FUEL LOADS ARE NOT WELL CORRELATED WITH SEVERE FIRES

Lodgepole pine (in fire groups three and four, see Smith and Fischer 1997) are in stand-replacing fire regimes (Cooper et al. 1991, Barrett 1982 and Green 1994 in Smith and Fischer 1997). Research from lodgepole pine in Yellowstone found stand-replacing or severe fires are a function of weather, not fuel load (Turner et al. 1994). This contradicts an important assumption in the DEIS.

The DEIS presents a version of history that is speculative, at best, given the information--the science is not definitive on historical conditions, though the DES pretends it is in certain instances. The belief that small, cool fires shaped the landscape of the South Fork is not consistent with the data, especially the events on the early 1900s. The belief that fire suppression everywhere had led to hotter fires currently is not consistent with the burn intensity and severity of recent fires (see for example, the Poet and Slims fire BAER report). Even if it were true fires are burning hotter now, there is considerable evidence it is because of climate change, not fuel amounts. (Preservation/Conservation Organization, Moscow, ID - #22.55.13110.277)

RESPONSE:

Climate and fuels are closely related when discussing them in the context of fire behavior. Climate can drive the fuels in availability for combustion, resulting flame length and heat output, and future fuel loadings.

The cumulative effects of climate change, fire suppression, and short-term climatic variability can interact to result in altered fire regimes, over which management may have little control. Variations in climate are strongly correlated over a wide region, so that historically severe fire years tended to occur synchronously over large areas, coinciding with regional drought periods (Barrett et al., 1997). Drought effects were strongly influenced by more variable factors including large dry-lightning storms that produced mass ignitions and occurrence of strong winds during fire events. If we experience a trend toward warmer, wetter conditions, as several climate models suggest, but with the increased precipitation occurring in primarily in the winter, there would be more severe summer moisture deficits. If prolonged seasons of moisture deficits occur over a wider area, larger areas could be prone to lethal fire, at least until species and stand structure equilibrate to more frequent fire, assuming both frequency and intensity of drought increase. Changes in wind, insects, and disease are also likely, probably in the direction of increased drought stress and more susceptibility to pathogens, which result in increased fuel loadings.

Healthy, vigorous stands of lodgepole pine generally have a high crown height with little surface fuels and are typically classified as a fuel model 8. These stands do require extreme weather conditions to create fire intensities hot

enough to transition from a surface fire to a crown fire. Historically, these stands would have had fires occurring during both extreme and normal weather conditions. During the normal weather conditions fires would have burned with low enough intensity to prevent transition from surface to crown fire, these low intensity fires would have reduced the surface fuel loading within the stands. During the extreme weather conditions those surface fires would have enough intensity to transition to crown fires even with low fuel loadings due to the fact that fuels were dryer and produced more energy during combustion.

With the mountain pine beetle epidemic occurring in the project area, and no natural mechanism for removal of fuel accumulations due to fire suppression requirements in the project area, these are no longer healthy stands with little surface fuels, but rather are stands that already have high fuel loadings or will have high fuel loadings as dead trees start to fall over, and are or soon will become classified as being fuel model 10 or 13. Because of these higher fuel loadings, a fire burning in these stands will burn with a greater intensity under less than extreme weather conditions due to the amount of energy created when more fuel is consumed during combustion. These higher intensities result in higher flame lengths and heat produced which will allow for a surface fire to more easily transition to a crown fire under more normal weather conditions. Please refer to the fuel model discussion in the Chapter 3, Section 3.4 of the FEIS for further discussion of the fuel models within the project area.

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I. BY CONSIDERING EVIDENCE SUGGESTING THAT FIRE SUPPRESSION IS NOT CORRELATED WITH SEVERE FIRES IN OLD GROWTH AREAS

The DEIS is based on the premise that fire threatens old growth because of fire suppression. However, most of the project area's old growth consists of areas with very long and lethal fire intervals. Furthermore, the 80 year figure for fire suppression is longer than the fire data indicate. When looking at historical data, it becomes clear that prior to 1950, fire suppression seems to have been ineffective when looking at the acres of national forests burned. (Preservation/Conservation Organization, Moscow, ID - #22.73.13110.365)

RESPONSE:

The old growth analysis has been revised. Please see FEIS Section 3.11.4 Old Growth Habitat Analysis

The discussion in Chapter 3, Section 3.11 of the FEIS only states that the current pine beetle infestations within the project area directly threatens lodgepole pine stands and raises the risk of future fire induced old growth losses. This is due to patches of old growth becoming more fragmented and surrounded by large areas of dying lodgepole.

It is generally accepted that fire suppression became effective throughout the area during the 1930s with the advent of the Civilian Conservation Corp as large numbers of men went to work in the woods, and the advent of the 10:00 A.M. policy which stipulated control of wildland fires by 10:00 A.M. the following

day after a fire was reported. These tools gave fire managers the needed number of resources to effectively suppression fires.

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90. THE NEZ PERCE NATIONAL FOREST SHOULD RETURN FIRE TO THE ECOSYSTEM.

A. TO ALLOW A NATURAL FIRE CYCLE

Clearly, good professional forest management in fire-prone forests would concentrate on: in the backcountry, let fire play its natural, beneficial role. (Individual, Grangeville, ID - #30.7.33100.600)

I'll say it again, the real question that needs an answer is why would anyone want to reduce backcountry fires? How does that logic flow with all the hoop-la the Forest Service has been giving the importance of returning fire to the ecosystem? Without providing you a basic course in forest ecology, I will remind you that the creatures that live in the forest (both flora and fauna) depend on the benefit from wildfires occurring periodically. You are land managers with a mission of protecting and conserving the national forests for 280 million people. How could you even contemplate interrupting this magnificent natural fire cycle? (Individual, Grangeville, ID - #30.2.33000.201)

Fire is natural, and can better care for an area than loggers ever could. It occurs to me this is about lobbying loggers making money, not about what is best for the forest. (Individual, Coeur D Alene, ID - #11.3.33100.822)

RESPONSE:

The Forest Plan and/or Fire Management Plan currently do not allow for Wildland Fire Use (WFU) within any portion of the project area. Without the authority for WFU, all fire ignitions within the project area require a suppression response.

We acknowledge the integral role of natural fire in terrestrial and aquatic ecological processes. The combination of past fire suppression, aquatic habitat degradation, depressed fish populations, and homes and communities intermingled in the American and Crooked river watersheds create an environment where we cannot now implement a policy of natural fire use. The current Forest Plan does not allow wildland fire use within any portion of the project area. The nearest areas of permitted wildland fire use are the Gospel Hump Wilderness and the East Meadow Creek roadless area. Additional roadless areas closer to the project area could be proposed for wildland fire use planning in the Forest Plan revision process. These include West Meadow Creek and adjacent unroaded areas within the American River watershed, and Dixie Summit-Nut Hill and adjacent unroaded areas within Crooked River watershed.

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B. TO MAINTAIN WATERSHED INTEGRITY

Research shows the importance of fire in maintaining watersheds. It shows that logging damages the watersheds while fire is crucial in maintaining watershed integrity. Logging also dries out the soil, leaves slash on the ground, and can lead to even hotter fires. Simply put, logging makes matters far worse. (Individual, Delmar, NY - #28.2.33100.360)

Natural fire in this watershed would actually help maintain the watershed by controlling bug and ground debris. (Individual, Moscow, ID - #23.2.33110.002)

RESPONSE:

We acknowledge the integral role of natural fire in terrestrial and aquatic ecological processes. The combination of past fire suppression, aquatic habitat degradation, depressed fish populations, and homes and communities intermingled in the American and Crooked river watersheds create an environment where we cannot now implement a policy of natural fire use. The current Forest Plan does not allow wildland fire use within any portion of the project area. The nearest areas of permitted wildland fire use are the Gospel Hump Wilderness and the East Meadow Creek roadless area. Additional roadless areas closer to the project area could be proposed for wildland fire use planning in the forest plan revision process. These include West Meadow Creek and adjacent unroaded areas within the American River watershed, and Dixie Summit-Nut Hill and adjacent unroaded areas within Crooked River watershed.

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C. TO INCREASE BIG GAME SUMMER HABITAT FOR ELK

Both timber harvest and controlled burns will significantly increase big game summer habitat, benefiting the stressed elk population of the Clearwater Basin. (Timber/Wood Products Industry, Kamiah, ID - #5.3.33400.330)

RESPONSE:

Comment acknowledged. Harvest and burning will help to increase nutritious foraging habitats for big game (See FEIS, Chapter 3, Section 3.11).

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91. THE NEZ PERCE NATIONAL FOREST SHOULD USE PRESCRIBED BURNING.

A. WITH THE USE OF PRESCRIBED BURN ONLY PRESCRIPTIONS

We encourage the Forest Service to expand the use of prescribed burn only prescriptions, in efforts to decrease fuel loads and create a mosaic of varying age-classes. It appears from Appendix H, where the silvicultural treatments are described; that the only burning accomplished will be in areas that have been harvested. In order to meet the purpose and need, burn only treatments are appropriate and warranted. (Preservation/Conservation Organization, Boise, ID - #15.112.33410.273)

RESPONSE:

The use of prescribed burning only will not effectively reduce the fuel loading within the stands to be treated. If the burning only is done under the existing live canopy of the stands one of two results will happen; 1) the fuels will be too wet to remove enough of fuels to be effective (spring/late fall burning), 2) the burning would occur during conditions (summer/early fall) when control of the fire will be difficult to control and the risk of adverse results happening are too great (high probability for fire to become uncontrolled and transition to a wildfire).

By using burning in conjunction with vegetative treatments, we will be better able to effectively treat the fuels located within the treatment areas to meet the purpose and need of the project.

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B. LEAVING A RANGE OF DOWNED WOODY MATERIAL ON THE GROUND

When planning to burn unnaturally high fuel loads (i.e. logging slash), it is important to leave a range of downed woody material on the ground in appropriate areas in order to preserve insect and wildlife species diversity. (Preservation/Conservation Organization, Boise, ID - #15.130.33410.350)

RESPONSE:

Typically during our prescribed burning of logging slash, we use prescription parameters that will result in down woody material left remaining for nutrients, shade, habitat, etc. The maintenance of some down woody material is the norm during prescribed burning and the total removal of all down woody materials is the exception.

Prescribed burns are developed and implement with specific results in mind. To meet these results, the prescription parameters are determined for the fuel and weather components so that the needed results can be achieved. By having set parameters, we can determine the resulting fire behavior and fire effects. When given objectives such as retaining downed woody material for habitat, and site protection we can determine the prescription parameters need to successfully accomplish the objectives. To help us determine the parameters we will use models such as RxWindows, FOFEM (First Order Fire Effects Model), and Behave.

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C. WITH MECHANICAL TREATMENTS

Where uncharacteristic or continuous fuel loads exist, mechanical treatments may be necessary prior to prescribed burning. These treatments should not focus on increasing canopy spacing by removing larger trees, but should remove ladder fuels and brush build ups. Care should be given to areas directly adjacent to the base of large diameter trees. Debris and fuels should be removed from these areas to protect tree roots and cambia. The Forest Service needs to provide details of how and when these adjacent areas are to be treated. (Preservation/Conservation Organization, Boise, ID - #15.113.33420.273)

RESPONSE:

Large diameter trees over 21 inches will not be harvested within this project. Mechanical treatments of uncharacteristic fuel loads will include timber harvest to remove and capture economic value and fund other treatments. The other mechanical treatments prescribed for the treated area will vary by stand and circumstance (slope, fuel load, soils, etc), but may include yarding of unmerchantable material, machine or hand piling of excessive organic material, pull-back of fuels from leave trees, jackpot burning of concentrations and piles, underburning, or broadcast burning. All treatments will have site-specific silvicultural prescriptions and burn plans will be developed and implemented for any burning activities.

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92. The Nez Perce National Forest should programmatically assess fire management policies.

TO ASSURE THAT ECONOMIC INVESTMENTS IN FUEL REDUCTION ARE MOST EFFICIENT

Where past fire suppression is often identified as a culprit, it is necessary for the FS to programmatically assess its fire management policies so that economic investments in fuel reduction are most efficient. Throwing money at unnecessary fire suppression activities followed by throwing money at fuel reduction because of the adverse effects of fire suppression makes no sense ecologically or economically. Last year's Slims Fire is a case in point where the damage from fighting fires that should not have been fought was far greater than any damage from the fire itself. Likewise, spending money on fuel reduction activities so that fire suppression can allegedly be carried, resulting in the need to do fuel reduction... seems like a cycle of management that only protects FS job security and damages ecosystems. (Preservation/Conservation Organization, Moscow, ID - #22.4.33000.835)

RESPONSE:

The current Forest Plan does not allow for WFU within the project area, thus, all new fire starts require a suppression response, and fuels treatments undertaken to lessen the effects of fires.

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93. The Nez Perce National Forest should fully implement the Federal Wildland Fire policy.

The development of approved fire management plans in compliance with the Federal Wildland Fire Policy was the number one policy objective intended for immediate implementation in the Implementation Action Plan Report for the Federal Wildland Fire Management Policy and Program Review. In general, the FS lags far behind other federal land management agencies that have already invested considerable amounts of time, money, and resources to implement the Fire Policy. Continued mismanagement of national forest lands and FS refusal to fully implement the Fire Policy puts wildland firefighters at risk if and when they are

dispatched to wildfires. This is a programmatic issue, one that the current Forest Plan does not adequately consider. Please see Amend (1997) as comments on this proposal, in terms of fire policy and Forest Planning. (Preservation/Conservation Organization, Moscow, ID - #22.8.33200.163)

RESPONSE:

The zone Fire Management Program for the Clearwater and Nez Perce National Forests does have an approved fire management plan in compliance with the Federal Wildland Fire Policy. The plan is updated annually and was most recently approved in June 2004, by both Forest Supervisors (Clearwater and Nez Perce).

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94. The Nez Perce National Forest should consider fire regime condition classes.

Fire regimes - when proposed treatment areas are overlaid on the map of fire regime condition classes, the areas of both moderate and significant departure from historical range, do not match to the extent needed to accomplish project objectives. This comparison once again focuses attention on factors (standards, guides, and administrative policy) limiting vegetative management options. (Timber/Wood Products Industry, Kamiah, ID - #5.12.33000.277)

RESPONSE:

Adherence to the full range of Forest Plan standards limits some vegetative management options. For example, some of the fire regime condition class departure areas are located in RHCA and landslide prone areas or would require road construction through sensitive landscape areas that would necessitate additional surveys and analysis or Forest Plan amendments in order to implement some treatments. Additionally economic considerations also came into play in determining treatment areas.

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95. The Nez Perce National Forest should consider fire regime models to determine fire intervals.

The fact that areas may have missed some fire cycles may not be important at all for a couple of reasons. First, is the predominance of lethal fire in the area like in 1910 which sets the successional stages at levels far different than those the agency claims are historic (see OHS maps). This is true for ponderosa pine types as well in this area which tend to be a bit wetter than the more typical ponderosa pine types further south (NOTE: The SFLA admits the ponderosa pine type was not as common in the South Fork and that lodgepole more common than ICBEMP would lead one to believe). Second, is the fact that these cycles are not hard and fast. This second question we address briefly below.

Other models of fire regimes need to be considered. Some research suggests, even in the most studied ponderosa pine fire types that tire return intervals are far from certain and may be far different (if valid at all) than previously believed. Baker

and Ehle (2001) note in the abstract of their recent peer-reviewed paper note: "Present understanding of fire ecology in forests subject to surface fires is based on fire-scar evidence. We present theory and empirical results that suggest that fire-history data have uncertainties and biases when used to estimate the population mean fire interval (F or other parameters of the tire regime. First, the population mean FI is difficult to estimate precisely because of unrecorded fires and can only be shown to lie in a broad range. Second, the interval between tree origin and first fire scar estimates a real fire-free interval that warrants inclusion in mean-FI calculations. Finally, inadequate sampling and targeting of multiple-scarred trees and high scar densities bias mean Hs toward shorter intervals.

In ponderosa pine (Pinus ponderosa Dougl. ex P. & C. Laws.) forests of the western United States, these uncertainties and biases suggest that reported mean FIs of 2-25 years significantly underestimate population mean FIs, which instead may be between 22 and 308 years. We suggest that uncertainty be explicitly stated in fire-history results by bracketing the range of possible population mean FIs. Research and improved methods may narrow the range, but there is no statistical or other method that can eliminate all uncertainty. Longer mean FIs in ponderosa pine forests suggest that (i) surface fire is still important, but less so in maintaining forest structure, and (ii) some dense patches of trees may have occurred in the pre Euro-American landscape. Creation of low-density forest structure across all parts of ponderosa pine landscapes, particularly in valuable parks and reserves, is not supported by these results."

Given this research, the concept of HRV may not be valid. In fact, the agency needs to take a look at all the assumptions behind the HRV and compare them with the differences in the scientific literature. (Preservation/Conservation Organization, Moscow, ID - #22.48.33110.277)

RESPONSE:

The focus of the paper by Baker and Ehle was on nearly pure ponderosa forest, which makes up a small portion of the project area. They state in their paper that mean fire intervals based on fire scar data may have uncertainties and biases and actually lead to longer fire intervals than previously thought. They also state that fires are also unrecorded upon some trees (i.e. no fire scar), “Trees are often charred by a surface fire, but fires do not always leave scars in particular areas or even a whole stand, so fires may be unrecorded in fire scars”, “It is uncertain for example, whether a tree without a scar did or did not burn in a fire that scarred nearby trees”, and “The abundance of unrecorded fires is largely unknown.” This lack of an evident fire scar may actually lead to inferring a longer fire interval than occurred, which is contrary to their theory about fire intervals.

While Baker and Ehle suggest that there may be uncertainties in the use of fire scars to determine fire intervals, they do not offer any suggestions to reduce or mitigate these biases other than bracketing fire intervals, which is what we have done in using fire regimes and an associated range of fire intervals (ex. 75 to 150 years for infrequent fire regimes) for this project.

An important adjunct of fire scar studies is tree age plots at fixed intervals to characterize stand-replacing fires. We have analyzed thousands of plots by habitat

type group and vegetation response unit (VRU) to derive local characterizations of presettlement fire regimes (data on file at Forest headquarters).

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Wildland Urban Interface

96. The Nez Perce National Forest should focus on thinning from below in the Wildland-Urban Interface.

TO REMOVE LADDER AND GROUND FUELS

In the WUI, we believe that the Forest Service should place less emphasis on reducing crown bulk density, and instead focus on thinning from below and removing ladder and ground fuels. Habitat loss is increased in areas cut by regeneration, seed tree or shelter wood logging, prescriptions that produce adverse effects for species relying on more continuous canopies such as snowshoe hare, lynx, pine marten, and fisher. (Preservation/Conservation Organization, Boise, ID - #15.95.33470.330)

RESPONSE:

With respect to the WUI areas, any treatment done will result in the reduction of the crown bulk density of the stand, including thinning from below and removing ladder fuels, crown bulk density is defined as "the mass of available fuel per unit crown volume." While these types of treatments (thinning from below and removing ladder fuels) are effective as a measure to keep fires from transitioning from a surface fire to a crown fire, they are not as effective in transitioning a crown fire back down to a surface fire. That transition of a crown to a surface fire is one of the things that larger blocks that have been harvested will accomplish. This will help to better protect the private property and road infrastructure within the WUI. Additionally these treatment areas will provide safer areas for firefighters to initiate suppression tactics within the WUI areas.

With respect to wildlife habitat, managing various habitat types to maintain or improve wildlife habitats is usually best done by duplicating the fire regime and disturbance intervals that each habitat evolved with. Thinning from below to remove ladder and ground fuels is generally consistent with fire's natural disturbance patterns in low elevation sites dominated by ponderosa pine and dry Douglas fir types. However, moderate and higher elevation mixed conifer and spruce-fir zones experienced a variety of both low and high intensity fires that created a mix of partially burned and completely regenerated sites. This created the patterns of age classes and conditions necessary for species such as lynx, snowshoe hares, fisher and marten. Exclusive use of "thinning from below" strategies would be inappropriate for higher elevation habitats because of failure to create early seral habitats critical to production of forage species such as snowshoe hares. Snowshoe hares are important prey of both lynx and fishers.

Refer to Chapter 3, Section 3.11, for information regarding wildlife habitat and cumulative effects analysis .

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97. The Nez Perce National Forest should not treat areas beyond the Wildland-Urban Interface.

A. 1. *The scoping notice states that one of the purposes is to reduce potential future fuel loading. The Forest Plan gives direction to protect resource values through cost effective fire and fuels management (Forest Plan page II-2). By treating areas beyond the wildland-urban interface (WUI), the Forest Service is being grossly inefficient and negligent in hazardous fuels reduction efforts. The proposed activities will do nothing to safeguard the community from wildfires and will only increase the hazardous fuel load and create a false sense of security, contrary to Forest Plan direction. (Preservation/Conservation Organization, Boise, ID - #15.10.33470.270)*

RESPONSE:

Resource values, as stated in the Forest Plan include not only Wildland Urban Interfaces, but timber, air quality, terrestrial and aquatic habitat, recreation opportunities, transportation infrastructure, etc. The proposed treatments would modify fire behavior by lowering fire intensities for fires occurring in the treatment areas. This would give suppression resources the opportunity to utilize the treatment areas during suppression activities, which would allow for the control of a fire at a smaller size and/or less cost.

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2. *It is suggested that "lethal fires could pose risk to structures and investments" (P. VI). Clarification and demarcation should be provided that identifies which structures and investments are specifically at risk from fire. This is difficult to comprehend given that there are several concurrent projects occurring and others proposed which focus on fuel reduction in the WUI. The Crooked River Demonstration and Orogrande defensible space projects and BLM actions are focused on protecting structures. The Forest needs to justify why fuel reduction is necessary this far away from structures at risk. (Preservation/Conservation Organization, Boise, ID - #15.43.33470.270)*

RESPONSE: Text has been modified in FEIS (refer to page 200)

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B. WITH THINNING EFFORTS ON NORTH-FACING SLOPES

Thinning efforts on north-facing slopes should be concentrated within the WUI so that natural mixed-lethal fires will not threaten structures. Many Lodgepole Pine stands normally experience stand-replacing events and may not in fact be outside historic fuel loads or be in danger of uncharacteristic wildfires. (Preservation/Conservation Organization, Boise, ID - #15.99.33470.270)

On north-facing wetter forest slopes, a mixed severity or lethal fire regime was more common, as is evident in the DEIS' descriptions. Thinning here should be concentrated around the WUI. We recommend that no even age treatments be implemented outside the WUI. Clear cuts, shelter wood and reserve tree logging activities transfer fuels from the canopy to the ground and increase

hazardous fuel loading, exacerbating the effects of wildfire. Also, clear cuts and similar logging prescriptions increase the potential for severe blow-downs by increasing wind speed and decreasing shelter to the outlying trees, again increasing the amount of hazardous ground fuels. Clear cuts also encourage rapid regeneration in Lodgepole pine forests. A dense layer of small saplings and young trees could support a rapid-spreading low crown fire and increase the risk of a large-scale wildfire. Any efforts to thin Lodgepole pine should maintain a sufficient density of trees to serve as windbreaks for each other and to prevent wind throw. (Preservation/Conservation Organization, Boise, ID - #15.115.33470.270)

RESPONSE:

Refer to the first two stated objectives of this project (FEIS, Chapter 1, Section 1.3). The vast majority of all acres proposed for treatment regardless of aspect are in the mixed severity or lethal fire regime. Silvicultural prescriptions are based on relevance to meeting the stated objectives within the purpose and need. How well a stand meets criteria depends upon the vegetative condition of the stands as well as the juxtaposition to the WUI, past treatment areas and determined fire protection areas. Social and economic values in the WUI are not the only resources at risk from wildfire in the project area.

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98. The Nez Perce National Forest should scale back the project since it is not in the WUI.

Since this is project is not in the WUI, and other projects are currently addressing the risk to structures and natural resources, the project should be significantly scaled back. (Preservation/Conservation Organization, Boise, ID - #15.47.10400.002)

RESPONSE: Comment acknowledged. Portions of the project are within WUI.

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99. The Final EIS should discuss the fire behavior in each of the six different Fuel Models that represent the project area.

The FEIS should also discuss fire behavior in each of the six different Fuel Models that represent the project area. The DEIS states that Fuel Model 8 represents an elevated risk only in severe weather conditions. In the next paragraph, at page 153, the impression is given that Fuel Model 10 exhibits "high fire intensities" regardless of weather. Is this accurate, or does Fuel Model 10 only exhibit high intensities during severe weather conditions? Please elaborate in the FEIS. (Preservation/Conservation Organization, Boise, ID - #15.101.21100.270)

RESPONSE:

The descriptions of the fuel models were taken from Aids to Determining Fuel Models for Estimating Fire Behavior by Hal Anderson (1982). The descriptions given are for the typical fire behavior for that fuel model under normal fire conditions during the fire season. Comparing Fuel Model 8, Fuel Model 10, and Fuel Model 13 fire

intensities and spread rates with a dead fuel moisture of 8%, live fuel moisture of 100%, and mid-flame wind speed of 5mph the results are as follows:

Fuel Model	Rate of Spread (chains/hr)	Flame Length (feet)
8	1.6	1.0
10	7.9	4.8
13	13.5	10.5

Fires with a flame length of 4 feet or greater are generally considered to be to in tense to control by hand and requires equipment such as dozers or air support to control.

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100. The Final EIS should recognize that thinning and regeneration harvests may actually increase the short-term risk of high-severity wildfire.

Thinning and regeneration harvests, alone, often result in greater amounts of hazardous fuels (slash) on the ground than prior to treatment, which may actually increase the short-term risk of high-severity wildfire. The FEIS must recognize this factor, even where slash disposal is proposed, timing of slash disposal is contingent on numerous factors which may not be met in a timely fashion. Moreover, this risk appears to be considerable given that at page 17 it states, "Slash from salvage would be lopped and scattered, hand piled and burned in the woods, or removed from the site at the discretion of the District ranger considering the Forest objective of maintaining less than 12 tons per acre of fine fuels." This section is particularly vague and could allow accumulation of slash in areas. This would clearly be counter to the objectives of the project. (Preservation/Conservation Organization, Boise, ID - #15.111.21100.270)

RESPONSE:

As stated in the hazard discussion of the Fire/Fuels section of the FEIS, it is acknowledged that the short-term risk of a high severity wildfire is possible between the time the vegetative treatment occurs and the slash disposal is completed. The long-term benefits of the treatments (modified fire behavior and lower future fuel loadings) outweigh this short-term risk. Additionally, after slash disposal is completed, the fuel loadings within the treatment units will be less than 12 tons per acre. If the treatments are not completed and stands continue to transition to Fuel Models 10 and 13, we would see fuel loadings in excess of 12 tons per acre.

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101. The Final EIS should describe in detail the fuels treatment areas, Including the process and criteria used in the selection of the areas and determination of size and width.

EPA agrees with the need to include fuels treatment into the management of forests to prevent wildfire. We recommend that the final EIS describe in more detail the fuels treatment areas, Including the process and criteria used in the selection of the areas and determination of size and width. (Federal Agency Official, Seattle, WA - #24.23.21100.273)

According to the DEIS (at page 151), only 1249 acres in the project area represent a frequent, non-lethal fire regime. This also represents only a small portion of the proposed logging area. Why then, does the DEIS give the impression that the project is designed to mitigate for departures from the historic fire regime. For instance, at page 157, the DEIS states: "Under Alternatives B, C, D, and E? This would start to bring these stands back into their historic fire regime."

The FEIS should clearly delineate the number of acres in each Fire Regime (as displayed in DEIS at page 151), in order to provide a clearer picture for the actual percent of treatment in these frequent fire return interval systems. Otherwise, the project and its DEIS gives false impressions of the result, purpose and need of and for the project. (Preservation/Conservation Organization, Boise, ID - #15.100.21100.277)

RESPONSE:

The project was not specifically designed to mitigate for the departure from historic fire regime. Alternatives B, C, D, and D (modified) would serve to return stands historically associated with very frequent and frequent fire regimes to more natural conditions through the use of mechanical or prescribed fire as surrogates for natural fire when those stands are treated.

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102. The Final EIS should include the fire histories and historical forest compositions of the Crooked River and American River watersheds.

It is important to recognize that not all Lodgepole pine stands were characterized by stand replacement fire regimes. Fire history should be analyzed in the Crooked River and American River watersheds and utilized to determine appropriate treatments. This information should be clearly conveyed in the FEIS. (Preservation/Conservation Organization, Boise, ID - #15.103.21100.277)

Thinning forests is a generally accepted component of decreasing the risk of a severe fire event on south-facing slopes with dry forest types that were historically characterized by low density stands of ponderosa pine with large openings between trees. In order to justify this sort of thinning activity, the FEIS should contain substantive information concerning the historical nature of these forests. This will help to establish a stand density target that is within the historical range of natural variability. According to the DEIS, though, only a small portion (approx. 3.2 percent) of the project area represents this forest type. (Preservation/Conservation Organization, Boise, ID - #15.114.21100.277)

RESPONSE:

We recognize that not all lodgepole pine stands are characterized by stand replacement fire regimes, but lodgepole stands located within the project area can generally all be characterized by mixed and lethal fire regimes. This can be concluded because the lodgepole stands within the project area are predominately single storied and even aged stands that would follow a high severity stand replacing fire event. Furthermore, fire scars are seldom observed.

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103. The Nez Perce National Forest should not harvest timber.

BECAUSE TIMBER HARVESTING AFFECTS WATER QUALITY

In regards to the issue of fire, maps produced by the USFS, BLM, and State of Idaho show that, after quality fire-prevention projects such as the positive "Dixie Fuel Breaks" and "Red River Defensible Space", fire risk now to Elk City is low to moderate. Logging in the American and Crooked River drainages will not change this, but it will continue to degrade an already-degraded watershed (S. Fork Clearwater River). (Individual, Moscow, ID - #9.4.34000.270)

RESPONSE:

The purpose and need for this project is broader than fire risk to Elk City. For a review see Section 1-3 of the FEIS. There are also many restoration activities planned with an associated “upward trend” to the watershed conditions (Section 3.2. – Watershed).

Fuels projects such as Dixie Fuel Break and Red River Defensible Space were designed to be site-specific fuels projects. As such they will help to lower the fire risk in the immediate area, in this case Dixie town and the houses near Red River, and they are really the last line of defense when trying to protect these structures and improvements.

With that in mind, those projects in and of themselves would not lower the fire risk to the town of Elk City or the rest of the project area, nor would they increase fire suppression efficiency or effectiveness, except in very localized areas.

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SECTION 6 - AIR QUALITY

104. THE FINAL EIS SHOULD REFER TO EPA’S INTERIM POLICY ON AIR QUALITY FOR PRESCRIBED FIRES.

TO DEMONSTRATE CONSISTENCY WITH NATIONAL POLICY

EPA encourages federal land managers to refer to the interim Air Quality Policy on Wildland and Prescribed Fires in their NEPA documents. The interim Policy best reflects national policy as to how Federal agencies, States, and Tribes will address the competing needs of clean air and fire in the ecosystem. The Interim Policy was prepared with the involvement of the Federal land management agencies including

that of the Department of Agriculture. By describing this national policy, the Forest Service further demonstrates how its actions are consistent with national policy. EPA supports the use of smoke management as a tool for maintaining clean air while allowing for prescribed fires. Enclosed is a copy of the Interim Policy. (Federal Agency Official, Seattle, WA - #24.26.10400.250)

RESPONSE:

The Regional smoke guide Describing Air Resource Impacts From Prescribed Fire Projects in NEPA Documents for Montana and Idaho in Region 1 and Region 4 (Acheson, et al, 2000) was used as the guide for completing the air quality description. This guide uses the Interim Policy as guidance. Additionally the Montana/Idaho Smoke Management Group ensure burners are meeting the EPA's Interim Policy requirements by coordinating and approving proposed burns within the airsheds in accordance with their operating guide to minimize cumulative air quality impacts.

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SECTION 7 - RECREATION

105. THE NEZ PERCE NATIONAL FOREST SHOULD MANAGE LANDS FOR RECREATION.

I believe the best use Idaho could have from these national lands lies in the direction of recreation, not logging. These lands are too hilly for profitable replanting for harvesting trees. (Individual, Moscow, ID - #21.1.50000.820)

RESPONSE:

Comment acknowledged. The USDA Forest Service is a multiple use agency and is charged with providing much more than recreation for the public it serves.

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106. The Nez Perce National Forest should describe how they will monitor and control Off Highway Vehicle use.

The Forest Service needs to describe how they will effectively monitor and control the use of OHVs on Forest Service and non-system roads, obliterated roads, and trails in the project area. The analysis should include funding and numbers of personnel available for these duties. (Preservation/Conservation Organization, Boise, ID - #15.55.53100.165)

We suggest discussing efforts to discourage off road transportation and to keep ATV usage concentrated in areas that are more resistant to damage from these vehicles. (Federal Agency, Elected Official, Seattle, WA - #24.21.53100.234)

Even for the system roads that are proposed for closure, abandonment, or obliteration, we have yet to see effective closures and enforcement that prevent use by OHVs. (Preservation/Conservation Organization, Boise, ID - #15.54.30200.410)

RESPONSE:

Monitoring will only be conducted during the implementation process and will be funded as a part of the project implementation.

Thank you for your suggestion. It is hoped that your ideas will be addressed during the Forest Plan revision process.

Physical closures will need to fit into the terrain to be effective (difficult to pass or get around).

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107. The Final EIS should include more information about effects of all terrain vehicles (ATVs) in the analysis of roads impacts.

We also recommend that the analysis of roads contain more information on the areas used by all terrain vehicles (ATVs) and the sediment generated by their use as well as any other negative impacts associated with off road travel. (Federal Agency, Elected Official, Seattle, WA - #24.20.13100.500)

RESPONSE:

No complete inventory of all terrain vehicle trails, whether system trails or user-created trails, was done for this project. Sediment from trails was not explicitly measured or modeled using NEZSED, but trails on erodible materials were documented in FEIS Chapter 3, Section 3.1. - Soils, Surface and Substratum Erosion. Specific sites were identified for restoration. See Appendix D Middle Crooked River.

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SECTION 8 - TRANSPORTATION

ROADS GENERAL

108. THE NEZ PERCE NATIONAL FOREST SHOULD NOT APPROVE NEW ROAD CONSTRUCTION.

A. *We continue to adamantly oppose any new road construction in the project area, even temporary construction. The proposal for 15 miles of temporary roads, 3 new stream crossings and 24 miles of reconstruction is absurd given the current conditions of the watershed from previous roading and management activities and we are adamantly opposed to this action. (Preservation/Conservation Organization, Boise, ID - #15.62.41100.247)*

RESPONSE:

Please refer to the response to comment 110 for a discussion of the need for temporary roads and then subsequent decommissioning of these roads.

There are no identified live water stream crossings associated with any of the proposed temporary roads. Please refer to the Soils, Water Quality, and Fish Habitat section of the table entitled Project Design and Mitigation Measures for the American

and Crooked River Project in Chapter 2 of the FEIS for additional information regarding live water stream crossings and road decommissioning.

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B. ON SOILS HIGHLY SUSCEPTIBLE TO EROSION OR COMPACTION WHEN THE WATERSHEDS ARE ALREADY IMPACTED BY SEDIMENTATION FROM EROSION

No new road construction should occur on soils highly susceptible to erosion or compaction. It is particularly troubling that the Proposed Action includes an estimated 7 acres of temporary road construction (American River) on soil substrata highly susceptible to erosion. It is absurd and unacceptable that the Forest Service would propose adding to the acres of current roads in areas at high risk of erosion when the watersheds are already being heavily impacted and degraded by sedimentation from this erosion. (Preservation/Conservation Organization, Boise, ID - #15.61.41100.231)

RESPONSE:

About 7.25 miles of temporary road are proposed (Alternative C) on soil substrata rated high for erosion hazard, and about 6.75 miles on soils of moderate erosion hazard. Please see the FEIS, Chapter 3, Section 3.1. – Soils, Substratum Erosion for this analysis. Compaction hazard is not analyzed in evaluating road effects, since road prisms are purposely compacted to provide a firm surface, and then sub-soiled and recontoured during decommissioning to restore permeability and subsurface hydrologic function. However, displacement and loss through mixing of the surface soil, usually the more permeable and productive volcanic ash layer, is a result of all road construction unless topsoil is stockpiled and replaced. This is also discussed in the FEIS, Chapter 3, Section 3.1 – Soils, Soil Compaction and Displacement.

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C. BECAUSE OF THE IMPACTS ON LISTED FISH SPECIES IN THE PROJECT AREA

As stated in our scoping comments on this project, and on other similar projects in the area, we believe that new road construction, even temporary, is simply not a viable option given the Forest Service's own scientific evidence showing the road system's effect on listed fish species in this watershed. (Preservation/Conservation Organization, Boise, ID - #15.3.41100.380)

RESPONSE:

The FEIS Chapter 3, Sections 3.2 (Watershed) and 3.3 (Fisheries) discuss the modeled impacts these road-building activities will have on fish/water quality. The FEIS Appendix E lists the limitations of both the NEZSED and FISHSED models. Our analysis shows that when combining these actions with the planned restoration, the result is an improvement in fish habitat and water quality.

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109. The Nez Perce National Forest should not approve any construction of temporary roads.

A. BECAUSE OF THE FOREST SERVICE'S POOR ENFORCEMENT OF ROAD CLOSURES WITHIN ALL DRAINAGES NOT MEETING BENEFICIAL USES

Given the extremely poor success rate the Forest Service has regarding enforcing road closures, it is likely that continued user-created resource damage will continue to occur into the foreseeable future. The most practical way to realize an upward trend in fish habitat is to reject any temporary roads and to preclude this type of treatment, especially within all drainages not meeting beneficial uses. (Preservation/Conservation Organization, Boise, ID - #15.69.41400.165)

RESPONSE:

Please refer to the response to comment no. 107 for a discussion of the need for temporary roads. Refer also to the comment no. 112 response for a discussion of the road decommissioning process. The important points to take from these discussions are: (1) temporary road construction is necessary to satisfy the project Purpose and Need, and to contribute to the economic viability of the project; (2) all temporary roads will be decommissioned within three years following their construction; and (3) every effort is made to limit unauthorized incursions on decommissioned roads.

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B. BECAUSE OF THEIR SEDIMENTATION EFFECTS DURING AND IMMEDIATELY AFTER THEIR CONSTRUCTION AND OBLITERATION

1. *Even with "Temporary Roads", the most significant addition of sediment to streams is during years 1 and 2, and in response to obliteration. While the Idaho Conservation League supports, in premise, the concept of "Temporary Roads," they are not appropriate in these already heavily roaded and degraded ecosystems. For reference, see Potyondy, J.P., G.F. Cole, and W.F. Megahan. 1991. A procedure for estimating sediment yields from forested watersheds. Pages 12-46 to 12-54*

   RESPONSE:

   Please refer to the response to comment #110 for a discussion of the need for temporary roads and the decommissioning of these roads.

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2. I*n Proceedings: Fifth Federal Interagency Sedimentation Conference. Federal Energy Regulatory Commission, Washington, D.C. In fact, according to this research, over a seven-year period, 77% of soil loss occurs within the first two years of road construction. Therefore, the impacts from road construction, even temporary ones, are significant and have very real potential to significantly impact fisheries habitat. (Preservation/Conservation Organization, Boise, ID - #15.25.41400.201)*

   RESPONSE:

   The figure of 77 percent of soil loss from roads within the first two years is the same as the basic erosion rate for roads used in the R1R4 Guide (Cline, et al). This basic erosion rate for roads was incorporated into the NEZSED model,

which was used in the sediment yield analysis for the American and Crooked River project. The effects of road construction, reconstruction and decommissioning on sediment yield are disclosed in Chapter 3 of the FEIS.

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110. The Nez Perce National Forest should base this project off of existing roads and close additional roads.

If there is to be any type of project, it needs to be based off of existing road systems, and close additional roads. (Preservation/Conservation Organization, Boise, ID - #15.7.23000.410)

RESPONSE:

The areas available for prescribed treatment activities that are accessible from existing roads are insufficient in size and location to satisfy the project's Purpose and Need and to contribute to the economic viability of the project. The fuels reduction portion of the project is focused primarily on removing dead, down and dying lodgepole pine, which must be removed in quantities and at locations sufficient to create the fuel breaks necessary to achieve the project objectives (FEIS, Chapter 1).

A portion of the timber revenue generated will be used for the proposed watershed restoration activities. All temporary roads constructed as part of this project would be decommissioned within three years of their construction (refer to FEIS, Chapter 2).

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111. The Nez Perce National Forest should decommission roads.

A. LOCATED IN RIPARIAN HABITAT CONSERVATION AREAS OR ON HIGHLY ERODIBLE SLOPES

While we understand that access needs to be provided for recreation and forest maintenance purposes, EPA encourages the USFS to continue to balance the needs of the public with the need to reduce sediment loading to streams. It appears from the DEIS that a high percentage of roads that would be decommissioned are the new roads being constructed for this project. We recommend finding ways to continue to decommission other roads, especially those that are located in riparian habitat conservation areas and on highly erodable slopes. (Federal Agency Official, Seattle, WA - #24.19.41300.002)

RESPONSE:

A roads analysis (conducted as part of this project) identified roads deemed not essential to management of the proposed project area and were considered as candidates for decommissioning (refer to Appendix F). Although additional roads will probably not be recommended for decommissioning for this particular project, we will continue to reevaluate the need for our roads and decommission more roads as conditions allow.

As stated in Chapter 2, the miles of roads proposed for decommissioning **are not** associated with the miles of temporary road construction proposed in this project. All temporary roads will be decommissioned following their use, but the roads proposed for decommissioning as part of the watershed restoration activities are existing forest system roads.

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B. WHICH CONTRIBUTE SIGNIFICANTLY TO SEDIMENTATION OR IN AREAS WITH A HIGH RISK OF LANDSLIDES

Decommissioning roads should be the top priority for the Forest and especially for the Red River Ranger District. It is unacceptable that road construction is proposed in an area that is already heavily roaded, and where water quality has been significantly degraded because of excessive road densities. The DEIS notes this glaring problem on page IV, "Stream channels have been mostly affected by sediment deposition and road encroachment." It is also notable that the DEIS acknowledges that, "Surveyed streams in the analysis area are below their Forest Plan objectives (existing and proposed) included in Appendix A [of the Forest Plan]" (P. V). (Preservation/Conservation Organization, Boise, ID - #15.23.41300.240)

Roads contributing significantly to sedimentation should be decommissioned. 251 acres in the American River watershed and 413 acres in the Crooked River watershed contain old roads that are on soil rated high for erosion. There are also 1 and 34 acres respectively in areas that are rated as a high risk of landslide. As many of these roads as possible should be decommissioned. (Preservation/Conservation Organization, Boise, ID - #15.58.41300.230)

RESPONSE:

Landslide risk and erosion hazard are two factors considered when evaluating roads for decommissioning. Administrative jurisdiction and public demand for that road are other factors (e.g., the main Crooked River road is maintained by Idaho County; we can work cooperatively with the County to reduce erosion, but we could not decommission it).

Under alternative D, a total of 79 acres of required road decommissioning would occur (see Appendix D) and another 72 acres if discretionary decommissioning is implemented. About 38 acres of the required decommissioning would treat soil substrata with high erosion hazard. The discretionary road decommissioning would treat an additional 20 acres with high erosion hazard. Please see Section 3.1.1.1 and Section 3.1.2.1 on soil physical effects.

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C. PRIOR TO THINNING AND BURNING TREATMENTS

The project should decommission and obliterate all high-risk and redundant roads as determined by a complete Roads Analysis. Road decommissioning must be done prior to treatments to ensure that decommissioning is achieved and not overshadowed by the thinning and burning treatments, or that funding for decommissioning is not diverted for fire suppression activities. (Preservation/Conservation Organization, Boise, ID - #15.70.41300.270)

RESPONSE:

A roads analysis consistent with the requirements of section 7712.13c of Forest Service Manual 7700 (FSM 7700) – Transportation System was conducted as part of this project. All roads within the project area that were deemed not

essential for future management of the affected areas, and the decommissioning of which would presumably benefit watershed health were proposed for decommissioning. Please refer to the Nez Perce NF response to a comment received from the Nez Perce Tribal Executive Committee (dated November 19, 2004, which immediately follows the response to public comments section) for a discussion of the implementation phase of this project.

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112. The Nez Perce National Forest should expand and guarantee the decommissioning of roads in the project area.

We appreciate the efforts to decommission 30 miles of roads, but these efforts need to be expanded significantly and guaranteed throughout the watershed. (Preservation/Conservation Organization, Boise, ID - #15.6.41300.247)

RESPONSE:

Refer to response to comment 34(G) for the full text of this response. Most restoration work associated with this project will be accomplished using various contracting mechanisms. Some of the work, streamside planting for example, may be accomplished through participating, volunteer, and challenge cost-share agreements.

The various types of contracting authorities being considered to implement the project include stewardship, service, and timber sale contracts, each of which offers a different opportunity to apply funds or contract specifications toward completing restoration activities.

At this time, a guarantee of funding or results is not possible. However, we can say with a high degree of confidence that restoration funds will be made available from a variety of sources over the life of the project, as planned.

In the event of significantly changed conditions due to natural events related to large floods, wind or fire affecting the project area, the project would be reevaluated.

Funding Sources:

- Appropriated funds have been requested for fiscal year 2005 and beyond, to accomplish restoration work in the upper South Fork Clearwater River, including the American and Crooked River project area.
- The North Central Resource Advisory Committee (RAC) is on record supporting this project and has the capability to fund a significant portion of the restoration once the project is approved.
- Many road improvements and a portion of the existing road decommissioning would be accomplished through timber sale contract provisions where such roads would be used for hauling and removing forest products.
- Where forest product revenues are projected to exceed operational logging and site treatment costs, stewardship contracting authorities would be used to allow the Forest Service to direct those revenues toward restoration activities.

- A substantial portion of the restoration work fits well under partnership and grant opportunities:
  - A recent addition to the potential sources of funding for restoration activities is the Pacific Salmon Recover Fund (PSRF). At least one grant proposal from a local non-profit organization has already been submitted, through the PSRF process, to do restoration work in the project area.
  - Restoration work associated with this project, once approved, will be incorporated into the South Fork Clearwater River TMDL implementation plan, which is under development by the SFCR Watershed Advisory Group.
  - Many of the proposed restoration projects would be competitive for BPA funds and work could be accomplished in partnership with the Nez Perce Tribe.

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113. The Nez Perce National Forest should close all inappropriate trails.

TO MINIMIZE SEDIMENTATION IN THE WATERSHEDS

Inappropriate trails need to be closed. The DEIS notes that, "Motorized and non-motorized trails account for 65 acres of soil disturbance, susceptible to surface and subsurface erosion. Thirty-five acres are on soil substrata rated high for erosion hazard." These trails should be closed to motorized use to minimize erosion. This is necessary given that sedimentation is a huge problem in the watersheds. (Preservation/Conservation Organization, Boise, ID - #15.52.42300.231)

RESPONSE: Comment acknowledged.

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114. The Nez Perce National Forest should close all non-essential roads.

BECAUSE THAT IS THE BEST WAY TO RESTORE DAMAGED WATERSHEDS FOR ECONOMIC AND ENVIRONMENTAL BENEFITS

Road closure is a contentious issue, especially in Idaho County, but is simply the best way to restore watersheds suffering from legacy problems. Permanently closing all non-essential roads will save money, protect water quality, protect wildlife, and safeguard endangered species and their habitat. (Preservation/Conservation Organization, Boise, ID - #15.77.41300.002)

RESPONSE: Please refer to the response to comment 111c.

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Roads Analysis and Management Considerations

115. The Nez Perce National Forest should actively enforce the closure of roads.

TO PREVENT INCURSIONS BY ORVS

The obliterated road should be gated, signed, and patrolled to prevent incursions by ORVs. (Preservation/Conservation Organization, Boise, ID - #15.73.43000.501)

RESPONSE:

Roads that are obliterated are generally not gated or signed. The concept behind this approach is that we do not want to call attention to the fact that a road had previously existed. Please refer to Environmental Effects in Section 3.8 of the FEIS for a discussion of unauthorized incursions on decommissioned roads..

Where we might reasonably expect to experience problems with unauthorized incursions on a decommissioned road we would camouflage the entrances, either by recontouring the roadway at the entrances or by placing natural barriers, such as logs and branches. Patrolling of the entrances to decommissioned roads by law enforcement to prevent unauthorized incursions would be conducted as resources allow.

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116. The Nez Perce National Forest should detail the maintenance plan for all roads in the project area.

Proper road maintenance is critical for any remaining roads if sediment is to be controlled. The Forest Service should detail the maintenance plan for all roads in the project area. (Preservation/Conservation Organization, Boise, ID - #15.76.41200.234)

RESPONSE:

Each forest system road is, and would continue to be, maintained in a manner consistent with the road management objectives established for the road, if sufficient funding is available to do so. Please refer to Appendix F of the FEIS for a list of road management objectives for each road in the project area.

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117. The Nez Perce National Forest should secure funding for road decommissioning.

TO GUARANTEE DECOMMISSIONING OF ROADS, REGARDLESS OF TIMBER REVENUES

It is essential that road-decommissioning proposals be guaranteed as part of this, or any project. We recommend that funds be secured to pay for the decommissioning, regardless of the revenue generated by the sale of timber. The NPNF should investigate the potential to acquire appropriated funds for the purpose of road decommissioning. If timber sales are delayed or fail to attract bidders, roads should still be decommissioned as part of this project, and should not be contingent upon the sale of timber. Utilizing congressionally appropriated, cost-share, mitigation and/or restoration funds for road

decommissioning should be prioritized for the American and Crooked River Watershed. (Preservation/Conservation Organization, Boise, ID - #15.67.14100.410)

Any road decommissioning or other watershed improvement activities must be guaranteed and completed regardless of the successful sale of timber, or the revenue generated by such sales.

(Preservation/Conservation Organization, Boise, ID - #15.133.10400.100)

RESPONSE:

Refer to response to comment 34(G) and 112. Briefly, most restoration work associated with this project will be accomplished using various contracting mechanisms. Some of the work, streamside planting for example, may be accomplished through participating, volunteer, and challenge cost-share agreements.

The various types of contracting authorities being considered to implement the project include stewardship, service, and timber sale contracts, each of which offers a different opportunity to apply funds or contract specifications toward completing restoration activities.

At this time, a guarantee of funding or results is not possible. However, we can say with a high degree of confidence that restoration funds will be made available from a variety of sources over the life of the project, as planned.

In the event of significantly changed conditions due to natural events related to large floods, wind or fire affecting the project area, the project would be reevaluated.

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118. The Nez Perce National Forest should remove all culverts from obliterated roads.

A. FOR ENVIRONMENTAL REASONS

Culverts of obliterated roads should be removed and restored to reduce the effects these have on sedimentation, water quality, and soil productivity. (Preservation/Conservation Organization, Boise, ID - #15.71.43000.220)

RESPONSE:

Removal of drainage structures, including culverts, is, in general, an element of the decommissioning process, regardless of the method of decommissioning. The only exception in this project is the road-to-trail conversion of road 9833. The roadway will remain intact for use by snowmobiles and snow grooming machines during the winter. Please refer to section 3.8. of the FEIS for further discussion of the various methods of decommissioning.

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B. TO AVOID BLOCKED DRAINAGES AND POTENTIAL BLOWOUTS

All culverts should be removed from obliterated roads. Culverts that are not maintained may lead to blocked drainages and eventual blowouts. (Preservation/Conservation Organization, Boise, ID - #15.75.43000.247)

RESPONSE: Please refer to response to 119(A).

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119. The Final EIS should provide additional information concerning transportation management for the proposed project and the effects of transportation management decisions.

A. INCLUDING THE RISK OF EROSION FOR ROADS BEING PROPOSED FOR DECOMMISSIONING

The EIS should provide information regarding what the risk of erosion is for those roads that are being proposed for decommissioning under the project. (Preservation/Conservation Organization, Boise, ID - #15.59.21100.231)

RESPONSE:

This information is now included in the FEIS, Section 3.1. – Soils, Surface and Substratum Erosion

The erosion risk of roads proposed for decommissioning was identified with land type surveys and field surveys and is documented on the field survey sheets as part of the project record. Brief summaries of these field surveys are found in Appendix D of the FEIS under the description/comments column in each of the road decommissioning tables. Their importance as a contribution to watershed restoration is also reflected in the two priority columns. Erosion risk of these roads is also reflected in the sediment modeling coefficients that are associated with each road segment. These are also part of the project record.

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B. INCLUDING THE SPECIFIC TERMS OF THE VEHICLES ALLOWED TO OPERATE

The FEIS should be specific in terms of the vehicles allowed to operate in order to reduce the potential impacts to soils and vegetation. All logs need to be removed by carrying the entire tree without dragging it and disturbing the soils. No logging within RHCAs (Riparian Habitat Conservation Area) should be permitted. (Preservation/Conservation Organization, Boise, ID - #15.119.21100.231)

RESPONSE: No logging is planned in streamside RHCAs - see FEIS Section 3.3

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C. INCLUDING WHEN ROADS PROPOSED FOR DECOMMISSIONING WILL BE OBLITERATED AND REPLANTED WITH TREES

I might have missed it, but somewhere there should be a date (or at least an expected date) when these roads will be obliterated and replanted (one would hope) with trees. (Individual, Moscow, ID - #6.5.21100.360)

RESPONSE:

Please refer to Table 2.3, item 11 of the FEIS for information regarding the decommissioning of temporary roads. The temporary roads are generally decompacted, recontoured, covered with slash, and seeded as needed. Tree planting is generally not included in the revegetation process of obliterated roads.

However, roadway openings in forested areas are relatively small, and tree growth will generally occur over time. Planting with trees and/or shrubs is prescribed when it is deemed desirable and natural regrowth is not expected in a timely manner.

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D. INCLUDING WHAT EACH CLOSURE METHOD WILL BE FOR EACH ROAD PROPOSED FOR DECOMMISSIONING

The DEIS discusses various possible scenarios for decommissioning, including abandonment, gating, and obliteration. It should be made clear what each closure method will be for each road, as simply abandoning a road that is regularly used as an ATV route will continue to result in long-term impacts. Further, the DEIS makes clear (at page 87) that temporary roads are difficult to restore to their former productivity. Therefore, excessive construction of temporary roads will have lasting impacts and will jeopardize resource values for years to come. This should be considered in the FEIS and the Record of Decision. (Preservation/Conservation Organization, Boise, ID - #15.60.21100.410)

RESPONSE:

Please refer to the tables in Appendix D of the FEIS for the specific methods of decommissioning recommended for each road. Refer also to the response to comment 115, above, for a discussion of unauthorized incursions on decommissioned roads.

We acknowledge that, at present, the soil productivity at locations where roads were constructed and subsequently obliterated is difficult to reestablish. The alternative to building temporary roads is to limit the prescribed treatment activities to areas that can be accessed solely from existing roads. Please refer to the response to comment 110, above, for a more detailed discussion regarding the reasons for proposing the use of temporary roads.

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E. INCLUDING THE CURRENT AND PROPOSED ROAD DENSITIES DURING PROJECT IMPLEMENTATION FOR ALL THE ALTERNATIVES

The United States Fish and Wildlife Service Bull Trout Interim Conservation Guidance states that depressed bull trout populations had an average watershed road density of 1.4 miles per square mile and were extirpated with road densities above 1.7 miles per square miles (page 27, BTICG). The DEIS failed to exhibit the road density by project alternative. The FEIS must show the current and proposed road densities during project implementation for all the alternatives, Including within 150-ft RHCAs on perennial, non-fish bearing streams and 100-ft. RHCAs on intermittent streams. (Preservation/Conservation Organization, Boise, ID - #15.64.21100.410)

RESPONSE:

Subwatershed road densities and over base sediment yields are disclosed by alternative in the FEIS in Tables 3.35, 3.36, and 3.44. Existing riparian road

densities are shown in Tables 3.31 and 3.39. These figures are not expected to change much by alternative since all temporary roads are being decommissioned and few of the existing roads planned for decommissioning are located in riparian areas.

The Interim Conservation Guidance states that the document is not intended to provide site-specific land management prescriptions, but is intended to provide recommendations that may be adapted to land management activities (USFWS, December 1998). This same report recognizes that reducing road miles, improving fish passage, decreasing water temperatures, and improving substrate and habitat complexity are all important in recovering bull trout populations. This FEIS contains actions designed to meet these needs (FEIS, Chapter 3, Section 3.3).

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F. INCLUDING A TABLE SHOWING ROAD DENSITY AMONG ALTERNATIVES FOR THE AMERICAN RIVER

The draft EIS explains very well the deleterious impact that roads have on water quality and aquatic habitats. Road densities are high in riparian habitat conservation areas in the Crooked River basin and the DEIS points out that it has more existing roads and past timber harvest on landslide prone terrain than the American River. Table 3.14 indicates a slight change in road density in the Crooked River basin between the action alternatives and no action alternative. We recommend a similar table showing the change in road density among alternatives for the American River. (Federal Agency Official, Seattle, WA - #24.18.21100.410)

RESPONSE: This information is located in the FEIS (and DEIS) in Table 3.31.

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G. INCLUDING CLARIFICATION OF THE NUMBER OF MILES OF ROAD IMPROVEMENT AND WHERE THESE TREATMENTS WOULD OCCUR

Table 0.1 indicates that the project includes 95 miles of road improvement for Alternative D; however, the same table under Watershed Restoration Package Improvements lists 15.8 miles of watershed road improvements. It appears from the tables contained in Section D that improvements would be made on roads outside the project area but within the South Fork Clearwater River watershed. We recommend that the final EIS clarify the number of miles of road improvement, and that the body of the report discuss where these treatments would occur. (Federal Agency Official, Seattle, WA - #24.4.21100.410)

RESPONSE:

The miles of road improvement listed in Table 0.1 of the DEIS are not correct; it should read 90.5 instead of 95. The corresponding footnote (2) is also in error. There is some ambiguity in the DEIS in the use of the terms *road improvement* versus *watershed road improvement*. The 90.5 miles of road improvements consists of treatments designed primarily to facilitate hauling of logs, but some of the treatments would, at the same time, act to improve watershed health. The 15.8 miles of watershed road improvements include only those miles of road

treatments deemed to contribute to watershed restoration. This has been clarified with an additional footnote to Table 0.1 of the FEIS.

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H. INCLUDING PAST EXAMPLES OF THE RANGE OF YEARS THAT TEMPORARY ROADS HAVE BEEN IN PLACE ON THE NEZ PERCE NATIONAL FOREST, OR OTHER FORESTS IN THE REGION

The scoping document states that temporary roads would "normally" be decommissioned within one to three years of construction. This differs from the statement in the DEIS, which stated that these roads would be decommissioned within four years. Please cite examples from the NPNF where roads were decommissioned within pledged timeframes, as well as examples where the timeframe was extended. Please provide reasons for why these roads were not decommissioned in a timely manner.

The FEIS needs to give past examples of the range of years that temporary roads have been in place on the NPNF, or other forests in the region. This will give a clearer picture of how long roads might be in place. Given the increased flexibility in timber contracts, we fear that these roads might be in place for several years and some 'atypical' high-risk roads may be present in degraded watersheds for up to a decade or more. (Preservation/Conservation Organization, Boise, ID - #15.68.21100.410)

RESPONSE:

Historically, past NEPA decisions allowed for temporary roads to be constructed, used, and obliterated in the same season. Implementation of these decisions found that it was the rare instance when a temporary road remained open for more than one operating season.

It has only been in the last few years that NEPA decisions have stated that temporary roads may be open for one to three years. Through timber sale contract implementation, again, it will be the rare case that a temporary road will remain open for more than one season. While the 1 to 3 year timing does provide more flexibility to a logging contractor, they normally do not want to have the additional expense of meeting mitigations necessary to keep road open over the winter. The majority of the time, they will still construct, use, and obliterate in the same season.

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120. The Nez Perce National Forest should have used their Roads Analysis Process in the Draft EIS.

Roads often have devastating impacts on water quality and fish habitat by increasing landslides, erosion, and siltation of streams. Roads also fragment forests and degrade or eliminate habitat for species that depend on remote landscapes, such as grizzly bears, wolves, and other large, wide-ranging predators (Trombulak and Frissell 2000). The DEIS should have used the Roads Analysis Process. However, this analysis has yet to be completed by the Nez Perce National Forest. (Preservation/Conservation Organization, Moscow, ID - #22.74.40220.410)

RESPONSE:

A roads analysis consistent with the requirements of section 7712.13c of Forest Service Manual 7700 (FSM 7700) – Transportation System was conducted as part of this project. All roads within the project area that were deemed not essential for future management of the affected areas, and the decommissioning of which would benefit watershed health, as well as improve habitat for wildlife, were proposed for decommissioning.

Please refer to response to comment 111(C).

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121. The Nez Perce National Forest should examine how this project will affect snowmobile use in and adjacent to the project area.

If the Forest Service is unable to demonstrate their capability to manage recreational use of these roads, no new roads, even temporary ones, should be constructed. The analysis should also examine this project will affect snowmobile use in, and adjacent to the project area. (Preservation/Conservation Organization, Boise, ID - #15.56.41100.501)

RESPONSE:

No changes are being planned to managing illegal road use. No changes in snowmobile use anticipated unless a reroute is needed to mitigate winter hauling on an established groomed trail.

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122. The Nez Perce National Forest should recognize the impact of increased road densities.

Previous management activities have resulted in excessive road densities throughout our National Forests, including the Nez Perce National Forest, and specifically the Crooked River and American River watersheds. This density compromises the project area's ability to support wildlife and fish by promoting further human disturbance, fragmenting habitat, accelerating sedimentation, and encouraging ORV use.

RESPONSE:

The effects of past management activities, as well as road densities, are described in the FEIS, Chapter 3, Section 3.11. Restoration activities associated with this project include reducing the amount of roads within the project area, which are also discussed in this Section.

The FEIS, Chapter 3, Section 3.3, Tables 3.61 and 3.65 (miles of stream with improved access), highlight that this action, with the restoration activities, actually improves fish access to both perennial and intermittent streams.

The roads actions in the American and Crooked River Project decommissions significant miles of existing roads and should be recognized for the measure of positive habitat restoration generated for numerous species. The temporary roads being built for the project will all be decommissioned and thus do not add to the road

density. Past road density impacts and related cumulative effects analysis discussions for affected terrestrial wildlife are in the FEIS, Chapter 3.

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SECTION 9 - VEGETATION

123. THE NEZ PERCE NATIONAL FOREST SHOULD RESTORE NATURAL DISTURBANCE PROCESSES IN ACCORDANCE WITH THE FOREST PLAN

A. BY ALLOWING PINE BEETLE INFESTATIONS AND WILDFIRES TO OCCUR

One of the tenets of the Plan is to "restore natural disturbance processes where feasible." Considering this, the mountain pine beetle infestations and wildfires should be allowed to a certain extent to meet the Forest Plan. This is particularly relevant due to the fact that it is acknowledged that lethal fires would be normal for these fire regimes in the area. (Preservation/Conservation Organization, Boise, ID - #15.46.10400.160)

RESPONSE:

This project is treating less than nine percent of the analysis area. The disturbance process of insect infestation is occurring on many of the untreated acres. The natural fire process is likely to occur on the untreated areas (refer to Alternatives Maps in Appendix A). There are also more than a million acres in wilderness and many thousands of acres in roadless areas that have not been managed and are in a natural state (excluding fire suppression).

The Forest Plan and Fire Management Plan currently do not allow for Wildland Fire Use (WFU) within any portion of the project area. Without the authority for WFU all fire ignitions within the project area require a suppression response and cannot be allowed to play it's natural role.

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B. BY ALLOWING FIRE TO OCCUR AS A NATURAL PART OF FOREST SUCCESSION AND NOT USING HIGH INTENSITY FOREST MANAGEMENT

We believe that high intensity forest manipulation as you are proposing, which is really designed to replace natural fire, will not lend towards restoring functional ecosystems. Rather, logging activities will disrupt the natural forest succession. Fire is a natural and essential component of forest ecosystems, and the presence of naturally functioning wildland fire indicates a high degree of ecosystem function.

This is particularly true in the American and Crooked River drainages which have significant portions of lodgepole pine, spruce and other high elevation trees in higher elevation landscapes. Beschta et al., 1995 state, "Land managers should be managing for the naturally evolving ecosystems, rather than perpetuating artificial ones we have attempted to create." (Preservation/Conservation Organization, Moscow, ID - #22.5.11200.277)

RESPONSE:

This project responds to public input received from people who use and reside within the project and surrounding area. Refer to FEIS, Chapter 1, Section 1.5 Please refer to the Purpose and Need and Forest Plan direction from the FEIS, Chapter 1, Section 3. The Forest Plan and Fire Management Plan currently do not allow for Wildland Fire Use (WFU) within any portion of the project area. Without the authority for WFU, all fire ignitions within the project area require a suppression response and can not be allowed to play its natural role.

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C. BY REMOVING IMPEDIMENTS TO NATURAL RECOVERY

Goals for the area include fully functioning stream ecosystems that include healthy, resilient populations of native trout and salmon. The highest priority management actions in the project area are those that remove impediments to natural recovery. The task of management should be the reversal of artificial legacies to allow restoration of natural, self-sustaining ecosystem processes. If natural disturbance patterns are the best way to maintain or restore desired ecosystem values, then nature should be able to accomplish this task very well without human intervention (Frissell and Bayles, 1996). That is why we requested a real restoration alternative that did not log or build roads.

We conclude this section of the comment letter with this passage from Frissell and Bayles (1996):

Most philosophies and approaches for ecosystem management put forward to date are limited (perhaps doomed) by a failure to acknowledge and rationally address the overriding problems of uncertainty and ignorance about the mechanisms by which complex ecosystems respond to human actions. They lack humility and historical perspective about science and about our past failures in management. They still implicitly subscribe to the scientifically discredited illusion that humans are fully in control of an ecosystemic machine and can foresee and manipulate all the possible consequences of particular actions while deliberately altering the ecosystem to produce only predictable, optimized and socially desirable outputs. Moreover, despite our well-demonstrated inability to prescribe and forge institutional arrangements capable of successfully implementing the principles and practice of integrated ecosystem management over a sustained time frame an at sufficiently large spatial scales, would-be ecosystem managers have neglected to acknowledge and critically analyze past institutional and policy failures.

(Preservation/Conservation Organization, Moscow, ID - #22.58.11200.330)

They say we need ecosystem management because public opinion has changed, neglecting the obvious point that public opinion has been shaped by the glowing promises of past managers and by their clear and spectacular failure to deliver on such promises. (Preservation/Conservation Organization, Moscow, ID - #22.59.11200.330)

RESPONSE:

This project responds to public input received from people who use and reside within the project and surrounding area. Refer to FEIS Chapter 1, Section 1.5. Please refer also to the Purpose and Need and Forest Plan direction from the FEIS Chapter 1, pages 2-7.

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124. The Nez Perce National Forest should consider naturally occurring ecosystem function.

A. TO EXAMINE DISEASE ORGANISMS

Some species of trees, native insects, and disease organisms are often described by the FS as invasive" or somehow bad for the ecosystem. Such contentions that conditions are somehow "unnatural" runs counter to more enlightened thinking on such matters. For example, Harvey et al, 1994 state:

Although usually viewed as pests at the tree and stand scale, insects and disease organisms perform functions on a broader scale.

Pests are a part of even the healthiest eastside ecosystems. Pest roles-such as the removal of poorly adapted individuals, accelerated decomposition, and reduced stand density-may be critical to rapid ecosystem adjustment

In some areas of the eastside and Blue Mountain forests, at least, the ecosystem has been altered, setting the stage for high pest activity (Gast and others, 1991). This increased activity does not mean that the ecosystem is broken or dying; rather, it is demonstrating functionality, as programmed during its developmental (evolutionary) history. (Preservation/Conservation Organization, Moscow, ID - #22.42.32510.370)

RESPONSE:

This project is treating less than 9 percent of the analysis area. The disturbance process of insect infestation is occurring on many of the untreated acres. The natural fire process is likely to occur on the untreated areas. There are also more than a million acres in wilderness and many thousands of acres in roadless areas that have not been managed and are in a natural state (excluding fire suppression).

This project responds to public input received from people who use and reside within the project and surrounding area. Please review the purpose and need and forest Plan direction from the DEIS Chapter 1 pages 2-7.

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B. BECAUSE INSECT INFESTATION AND FIRE ARE PART OF THE NATURAL STAND REPLACEMENT CYCLE

The presence of some percentage of dying or at risk trees is not sufficient as a reason to log the entire stand. Not all Lodgepole Pine trees will succumb to the Mountain Pine Beetle and those that survive could potentially provide a genetic resistance to beetle in the future. This genetic resistance to beetles would be

lost if the trees were logged. (Preservation/Conservation Organization, Boise, ID - #15.14.34000.373)

We are concerned with the statement that currently uninfected but "high risk" trees would be harvested given the fact that, "There is little opportunity to further prevent additional mountain pine beetle Lodgepole pine mortality in the Red River, Crooked River, and American River watersheds (Red River Salvage EA. p. 1). This statement is based solely on short-term economic goals and has no ecological value: Mountain pine beetles prefer larger-diameter Lodgepole pine, implying that all larger trees could be harvested. Further, according to discussions with leading forest pathologists, it is impossible to predict where Mountain Pine Beetles will go, and therefore these stands should not be logged. (Preservation/Conservation Organization, Boise, ID - #15.116.34000.373)

RESPONSE:

This project is treating less than 9% of the analysis area. The disturbance process of insect infestation is occurring on many of the untreated acres. The natural fire process is likely to occur on the untreated areas. There are also more than a million acres in wilderness and many thousands of acres in roadless areas that have not been managed and are in a natural state (excluding fire suppression)

Trees are prescribed to be left in all stands if still alive to meet green tree replacements for snags. If the trees have dwarf mistletoe they are to be removed to prevent infection of the regeneration. I have seen no literature on genetic resistance to beetle. The beetle epidemic currently covers- the entire analysis area and the majority of high risk stands have mortality.

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125. The Nez Perce National Forest should use best available science to define historical ranges of variability (HRV) and to justify characterizations of current forest conditions and disturbance regimes.

A. BY ADHERING TO NATIONAL FOREST MANAGEMENT ACT (NFMA) DEFINITIONS OF "RANGE OF VARIATION"

It becomes very difficult to subscribe to the DES arguments when the definitions are not precise. For this discussion, let us use a definition of range of variability as found in the 20(X) NFMA regulations (currently in stasis due to the administration's politics). The definition may be instructive to the writers of the DES. Range of variability is defined here at Sec. 21936 as:

"The expected range of variation in ecosystem composition, and structure that would be expected under natural disturbance regimes in the current climatic period. These regimes include the type, frequency, severity, and magnitude of disturbance in the absence of fire suppression and extensive commodity extraction."

Current climatic period is further defined as:

"The period of time since establishment of the modem major vegetation types, which typically encompass the late Holocene Epoch including the present, including likely

climatic conditions within the planning period. The climatic period is typically centuries to millennia in length, a period of time that is long enough to encompass the variability that species and ecosystems have experienced." (Id.)

To paraphrase the definition, for a project to claim that an area is outside of the range of variability, according to the 2000 NFMA definition, it would need to make the case that the area has not seen current conditions in a length of time encompassing the late Holocene Epoch- a period of centuries to millennia in length. The DEIS utterly fails to make the case that the current vegetative condition failed to exist at any time within the late Holocene Epoch. (Preservation/Conservation Organization, Moscow, ID - #22.33.13100.133)

RESPONSE:

A characterization of range of variability within a given time scale requires historical data with enough statistical integrity to be meaningful. Although there are a few historical records mostly in narrative form, comparing those records with the current data set is arbitrary at best due to changing definitions of terms. At best, those records extend back to 1860. Therefore, to attempt to manage within the range of the Holocene Epoch would encompass such fluctuation and variability as to be meaningless. This project is not based on range of variability and does not rely on conjecture as to the former vegetative state of the area. Instead, the treatments proposed are designed to promote the health and vigor of timber stands and improve the environment for long-lived, fire resistant species.

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B. BY RECOGNIZING THAT DEFINITIONS OF HRV SHOULD BE BASED ON DATA FROM EXTENDED TIME PERIODS

In the mid-1800s, the event known as the Little Ice Age was ending. It may be that climatic change made conditions for fires like those in the early 1900s which to occur and become the major determinants of the landscape of today. It is also possible that fires like those in the past century occurred on more than one occasion since the retreat of the glaciers. Paleoecological research shows the importance of climate change in governing vegetation (Webb and Bartlein 1992).

Vegetation changes seem to lag behind climate change (Johnson et al. 1994). When looking at the bigger picture that takes into account climatic shifts, and not some narrow, snapshot-in-time view, the concept of a normal fire frequency may not be valid. (Walder 1995). Research being conducted by Grant Meyer and others on the Boise National Forest shows this to be the case. In that case, it appears big stand replacing events occurred in ponderosa pine forests between 900 and 1200 due to climatic conditions.

Given climate change and the very real possibility that site potential for various types have changed (soil pH and chemistry, moisture, soil temperature) because of it, the view of HRV on anything less than a time scale that takes into account climate shifts may be inadequate. That is especially true given the dramatic and scientifically documented increases in global temperature over the past few years. The past decade was the warmest on record. Again, the DEIS and supporting documents do

not define the HRV so it is impossible to assess the assumptions behind the HRV. (Preservation/Conservation Organization, Moscow, ID - #22.36.13100.260)

The DEIS's apparent definition of HRV seems very narrow, without conclusive justification and focusing mainly on ponderosa pine types. The SFLA notes much of the analysis area is outside the HRV and the DEIS implies this is because of fire suppression (NOTE: The SFLA is not completely clear on the current conditions and their causes, there is equivocation and inconsistency in that document) yet it would seem the DEIS maintains that the big fires of the early 1900s, natural events as far as we know, put this area outside the HRV. Thus, it would appear the HRV ought to be able to account for these events. (Preservation/Conservation Organization, Moscow, ID - #22.34.13100.277)

What range of time is being used to determine HRV and is it long enough to be accurate? What proof is there to refute scientific findings that forest conditions in 1850 or 1900 were only a few frames and not representative of an ecological perspective that should be from two to three thousand years in length (see Walder 1995 and Johnson et. al 1994)?

The steady-state theory of ecology is inappropriate for time scales more than 200 years in length. (Webb and Bartlein 1992) Certainly, the goal is to have national forests in perpetuity. A time frame of 200 years only takes us back to Lewis and Clark, a time not so distant when the Nez Perce National Forest was considered pad of the public domain of the USA by the federal government (though disputed with the British) just as it is today. (Preservation/Conservation Organization, Moscow, ID - #22.35.13100.330)

RESPONSE

Refer to response to comment 125. A review of recent literature which documents vegetative changes during the Holocene Epoch (Brunelle and Whitlock, 2002; Mayewski, *et al,* 2004; Davis *et al*; 2002) that wide fluctuations have occurred in species composition, density, and fire regimes. The purpose and need (Section 1.3) does not use HRV as an analysis parameter.

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C. BY DESCRIBING THE FACTORS, SUCH AS FIRE AND INSECTS, ASSUMED TO BE AFFECTING STRUCTURAL CONDITIONS OVER TIME.

Any forest condition that is maintained through intense mechanical manipulation is not maintaining ecosystem function. We request site-specific disclosure of the historical data used to arrive at any assumption of "desired conditions." We don't believe the proposed management activities are designed to foster the processes that naturally shaped the ecosystem and resulted in a range of natural structural conditions, they are merely designed to recreate what the agency believes were structural conditions in a single point in time that the FS considers "natural." Generally, past process regimes are better understood than past forest structure. How are you factoring in fire, insects, tree diseases, and other natural disturbances in specifying the structural conditions you assume to be representative of the historic range? (Preservation/Conservation Organization, Moscow, ID - #22.38.13100.330)

RESPONSE:

This project responds to public input received from people who use and reside within the project and surrounding area (refer to FEIS, Chapter 1, Section 1.5. Please review the purpose and need and forest Plan direction from the FEIS Chapter 1, Section 3.

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126. The Final EIS should define the terms "dying" and "at risk".

The FEIS needs to clearly define the following terms: "dying" and "at risk to Mountain Pine Beetle attack" (Page III). (Preservation/Conservation Organization, Boise, ID - #15.13.21100.001)

RESPONSE:

The term "dying" refers to the cessation of transport of water and nutrients within a tree. The first sign of beetle-caused mortality is generally discolored foliage. Needles on successfully infested trees begin fading and changing color several months to 1 year after the trees have been attacked. The needles change from green to yellowish green, then sorrel, red, and finally rusty brown. Fading begins in the lower crown and progresses upward. Besides having pitch tubes, successfully infested trees will have dry boring dust, similar to fine sawdust, in bark crevices and around the base of the tree. Sometimes, however, infested trees can have boring dust, but not pitch tubes. These trees, called blind attacks, are common during drought years when trees produce little pitch. When the beetles attack, they carry blue-staining fungi into the tree. After one to several months, the sapwood begins to discolor.

The term *"at risk to Mountain Pine Beetle attack"* refers to any species of pinus. In the American and Crooked River project area the majority of the pinus is lodgepole pine. Beetles usually select larger lodgepole pines that have thick phloem. They need adequate food, found in large- diameter trees, for their population to build up. After the larger lodgepole pines are killed, beetles infest smaller and smaller trees, where phloem is thin and excessive drying occurs. Beetle populations then decline to endemic levels. High-risk lodgepole pine stands have an average age of more than 80, an average diameter at breast height of more than 8 inches (20 cm), and a suitable climate for beetle development based on elevation and latitude.

In second-growth ponderosa pine, high-risk stands have a high stand basal area, a single story, and an average diameter at breast height more than 10 inches (25 cm).

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Timber Management

127. The Nez Perce National Forest should not harvest timber.

A. *In particular, I oppose plans to log in the East Fork of the American River and Kirks Fork. (Individual, Seattle, WA - #8.2.34000.001)*

I am of the opinion that logging will continue to damage this area. (Individual, Minneapolis, MN - #17.2.34000.200)

We believe that the large amount of road construction and salvage harvests proposed are completely inappropriate given the degraded condition of this drainage. (Preservation/Conservation Organization, Boise, ID - #15.2.34000.247)

RESPONSE:

The proposed logging in the American and Crooked River project is one method which can be used to respond to the Purpose and Need (refer to FEIS, Chapter 1, Section 1.3). Briefly, the purpose of the project is to reduce existing and potential forest fuels, create conditions that will contribute to sustaining long-lived fire tolerant tree species (ponderosa pine, western larch) and contribute to the economic and social well-being of people who use and reside within the surrounding area.

The analysis of each alternative displays the effects to various resources. Standards and guidelines from the Forest Plan will maintain effects within accepted limits of change (refer to Regulatory Framework. The proposed restoration projects and mitigations will offset any potential damage from logging and result in an upward trend for the watersheds as a whole.

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B. BECAUSE TIMBER HARVESTING AND ROADBUILDING DESTROY THE ECOSYSTEM

1. *Road building and logging destroy ecosystems. (Individual, Loveland, CO - #12.4.34000.201)*

RESPONSE:

Analysis of the effects of the proposed actions on various resources demonstrate that the project will help restore landscape patterns which have been fragmented from past actions. Ecosystem processes and functions will remain intact.

With respect to terrestrial wildlife, some of the impacts to wildlife will be positive including improvement of elk habitat effectiveness. Reductions in miles of road, which is also part of this project, will offer restorative habitat quality improvements for other species as well.

of this project, will offer restorative habitat quality improvements for other species as well.

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2. *I understand that the Forest Service is proposing to build some 14 miles of new roads and log thousands of acres. The Forest Service has good intentions to help improve the watershed, and I think that other options need to be considered before logging. Please don't let the road-building and logging take place. (Individual, Pullman, WA - #33.2.34000.247)*

RESPONSE: Comment acknowledged

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C. BECAUSE TIMBER HARVESTING SPEEDS UP THE PROGRESS OF FIRE AND COMPROMISES SOIL QUALITY

Logging the biggest and strongest trees speeds up the progress of a fire and compromises soil quality. (Individual, Loveland, CO - #12.2.34000.002)

RESPONSE:

The biggest, strongest trees which appear to be most resistant to effects of a changing climate are the trees that will remain in the treated areas. Refer to the objectives portion of Chapter 1, Section 1.3.

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D. BECAUSE TIMBER HARVESTING DOES NOT REDUCE FIRE DANGER

I invite you to review the quotes I have supplied in the Appendix [ATTMT:1]. Some are from government documents and some are from environmental groups. All are valid. They all relate to why logging, timber harvest, and mechanical fuel removal actually increase the fire risk in the forest. I will expect a response to each quote in our FEIS telling me: 1) why the quote does not apply to your project, and/or, 2) why the science (which was the basis for the quote) is incorrect. All of the quotes say that logging large commercial sized stems does not reduce fire danger. In fact, some of the quotes say that due to the small activity fuels left after logging, commercial logging actually increases fire danger. (Individual, Grangeville, ID - #30.13.34000.270)

The activities (road construction and salvage harvest) described do little to protect homes and communities from fire in any meaningful way, and may in fact exacerbate fire danger, severity and intensity. (Preservation/Conservation Organization, Boise, ID - #15.4.34000.271)

RESPONSE:

This project's purpose is to reduce fuels at the individual treatment site and also at the watershed levels. Other projects such as Crooked River Defensible Space are designed specifically to protect structures. The way this project is designed it will help to protect other critical resources such as wildlife habitat, water quality, recreation opportunities, and infrastructures such as roads and bridges to name a few.

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128. The Nez Perce National Forest should harvest timber.

A. BECAUSE WILDLAND FIRE CAN LEAD TO INCREASED SEDIMENT LOADS

I understand some sediment may find its way into the creeks and rivers from the logging and road building. This situation is only short-term, however, and is much preferred to the stream-choking mud slides that frequently happen after a wildfire burns off the vegetation and sterilizes the soil. (Individual, Lewiston, ID - #7.2.34000.230)

RESPONSE:

Comparing the sediment produced by road building and harvest to sediment from a potential wildfire is a complicated task. Some of the factors that need to be considered:

- Logging and harvest effects are relatively known quantities, predictable in extent, time and location. Severe storm years can heighten impacts of logging and road building. Permanent roads do produce peak sediment for a few years after construction, and continue to produce chronic levels of sediment throughout their life. Sediment from most harvest units typically declines to negligible after 5 years (Cline, *et al*, 1981). Modeled effects of sediment due to past wildfires, road building and logging are shown in the watershed section of the FEIS. These estimates indicate that although peak sediment from fires was high, chronically elevated sediment from roads continues to affect watersheds in the project area.
- Sediment effects from any particular fire are influenced by fire size, severity, and location, interaction with existing road systems or susceptible soils, and intense storms or rapid spring runoff during the 1-10 years following wildfire (Wondzell and King 2003). Large severe fires in the project area occur under a combination of drought, high temperatures, low humidity, and strong winds (Schoennagel *et al.,* 2004). Under these conditions, scattered fuel treatments may have slight effects on overall fire size and severity. This means that such a fire could occur even with the proposed harvest, so effects of fire might not be averted by harvest and road building, but compounded.
- Under more moderate burning conditions, fires could be more easily suppressed, and potential fire size reduced, by using harvest areas as control points and fuel breaks. This is part of the rationale for the proposed harvest and fuel reduction. See Section 3.4.2.
- Effects on streams from fires and road building are complex in time and space. Road building generally produces fine sediments, and may little affect flow quantity, so that streambeds are more susceptible to filling of pools and spawning gravels with sand and silt. Fire effects on streams can vary from negligible to dramatic, short-lived to long term. Aquatic researchers now acknowledge the important role of natural wildfires in structuring stream habitats, providing not only fine sediments, but also large wood and large sediments (Bisson *et al.,* 2003). Fires also may result in increased flows that arrange these materials in the stream to build pools and spawning gravels. Some effects can be negative, especially considered over the short term, when individual fish may be killed, fine sediments increased, or channels scoured in tributaries.

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B. BECAUSE IT WILL ASSIST THE LOCAL ECONOMY

The logging will add to the local economy and provide enough lumber to build some 1,500 average-sized family homes. (Individual, Lewiston, ID - #7.4.34000.814)

We believe cut levels can be increased to better accomplish project objectives, and improve the economics of the project. (Timber/Wood Products Industry, Kamiah, ID - #5.18.34300.800)

RESPONSE: Comment acknowledged

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C. BECAUSE TIMBER HARVESTING INCREASES OPENINGS AND CREATES BIG GAME FORAGE

The Concerned Sportsmen of Idaho believes that more trees could and should be harvested to increase the openings in closed forest canopy areas so that grasses, forbs and brush can be grown to create much-needed elk forage. (Recreation/Conservation Organization, Viola, ID - #2.2.34300.330)

RESPONSE:

There are a number of issues and considerations that had to be integrated into the proposal to limit impacts on resources. The increased habitat effectiveness resulting from overall reduction in miles of open roads and reduced human disturbances will benefit elk.

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D. TO EXPAND TIMBER VOLUME FOR BIG GAME

1. *The timber harvest units remove only an average of 8.6 MBF/acre, bringing into question whether enough volume is being removed to open crown canopies to sufficiently reduce competition and encourage big game forage production. We further question if the removal of only 1.3 MBF/acre in the roadside salvage will accomplish objectives. (Timber/Wood Products Industry, Kamiah, ID - #5.8.34300.330)*

RESPONSE:

The intensity of planned harvests along with liberal use of prescription fire afterward, will serve to stimulate resprouting and growth of additional nutritious forage for big game in most units. In the roadside salvage, the more limited removal of standing timber was planned in part, to incorporate some protection for minimal amounts of hiding cover along roads which would generate additional forage without sacrificing large amounts of hiding cover adjacent to roads.

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2. *While creating elk forage on the spectrum of range referred to above, the CERT (Clearwater Elk Recovery Team) encourages you to expand the timber volume taken so as to insure [sic] that openings in the forest are numerous enough to accomplish the task for depleted elk herds while remaining within Forest Plan old growth standards. (Recreation/Conservation Organization, Moscow, ID - #1.4.34300.350)*

RESPONSE:

A number of issues and considerations had to be integrated into the proposal, not just producing elk forage. The intensity of planned harvests along with liberal

use of prescription fire afterward, will serve to stimulate resprouting and growth of additional nutritious forage for big game in most units. Forest plan old growth standards for old growth will be met.

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129. The Nez Perce National Forest should consider research that addresses timber harvest.

A. BECAUSE RESEARCH ADDRESSES POST-HARVEST SLASH DISPOSAL

Research from the Hayman Fire (2002) has determined that pine needles, if not burned by the fire, can provide significant protection to the soil surface when they fall to the ground (Interim and Final Hayman Fire Case Study Analyses, 2002 & 2003). By applying regeneration harvests, the beneficial impact of this material is not realized. Instead, slash is deposited on the ground and burned in piles, thereby vastly increasing the potential for soil erosion and subsequent sedimentation of critical spawning habitat for ESA listed species.

Post-logging slash disposal is critical and a number of factors should be considered in the project design and implementation. Machine and jackpot burn piles restricted, and if necessitated, should be evenly distributed throughout logging units. Large piles create excessive heat, create potassium and nitrogen overloading in small areas, and can negatively impact soil resources. Smaller piles, evenly distributed, or broadcast burning is preferred. However, the burning of these materials still can contribute to significant erosion problems on the forest. (Preservation/Conservation Organization, Boise, ID - #15.105.34400.201)

RESPONSE:

Design criteria will be incorporated into silvicultural prescriptions, which will include the method/amount of retention and/or removal of materials. In addition, contract clauses will include design criteria that limit the size, location, and structure of piles. Furthermore, site-specific burn plans will be developed for each burn unit. This will include pre-ignition analysis of factors such as wind speed, humidity, temperature, slope, aspect and duff moisture. Ignitions performed under these conditions would limit the detrimental effects to residual stands and the soil resource.

Post harvest slash disposal, broadcast and jackpot burning, is typically accomplished during times of the year when duff moistures are high enough to prevent the total consumption of the duff. The duff that remains provides soil protection against runoff, and continues to provide nutrient cycling to the soil. Machine piles located within the unit are typically smaller in size and distributed fairly evenly throughout the units.

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B. BECAUSE RESEARCH INDICATES TIMBER HARVESTING, ROADS, AND OTHER HUMAN DISTURBANCES PROMOTE THE SPREAD OF TREE DISEASE AND INSECT INFESTATION

The FS often makes a case for logging as a way to reduce insect and disease damage to timber stands As far as we are aware, the FS has no empirical evidence to indicate its "treatments" for "forest health" decrease, rather than increase, the incidence of insects and diseases in the forest. Since the FS doesn't cite research that proves otherwise in this DEIS we can only conclude that "forest health" discussions are unscientific and biased toward logging as a "solution." Please consider the large body of research that indicates logging, roads, and other human caused disturbance promote the spread of tree diseases and insect infestation.

For example, multiple studies have shown that annosus root disease (Heterobasidion annosum, formerly named Fomes annosus), a fungal root pathogen that is often fatal or damaging for pine, fir, and hemlock in western forests, has increased in western forests as a result of logging (Smith 1989). And researchers have noted that the incidence of annosus root disease in true fir and ponderosa pine stands increased with the number of logging entries (Goheen and Goheen 1989). Large stumps served as infection foci for the stands, although significant mortality was not obvious until 10 to 15 years after logging (Id).

The proportion of western hemlock trees infected by annosus root disease increased after pre-commercial thinning, due to infection of stumps and logging equipment wounds (Edmonds et al 1989, Chavez, et al. 1980).

Armillaria, a primary, aggressive root pathogen of pines, true firs, and Douglas-fir in western interior forests, spreads into healthy stands from the stumps and roots of cut trees (Wargo and Shaw 1985). The fungus colonizes stumps and roots of cut trees, then spreads to adjacent healthy trees. Roots of large trees in particular can support the fungus for many years because they are moist and large enough for the fungus to survive, and disease centers can expand to several hectares in size, with greater than 25% of the trees affected in a stand (id) Roth et al. (1980) also noted that Armillaria was present in stumps of old-growth ponderosa pine logged up to 35 years earlier, with the oldest stumps having the highest rate of infection.

Filip (1979) observed that mortality of saplings was significant correlated to the number of Douglas-fir stumps infected with Armillaria mellea and laminated root rot (Phellinus weirii). McDonald, et al. (1987) concluded the pathogenic fungus Armillaria had a threefold higher occurrence on disturbed plots compared to pristine plots at high productivity sites in the Northern Rockies. Those authors also reviewed past studies on Armillaria, noting a clear link between management and the severity of Armillaria-caused disease.

Morrison and Mallett (1996) observed that infection and mortality from the root disease Armillaria ostoyae was several times higher in forest stands with logging disturbance than in undisturbed stands, and that adjacent residual trees as well as new regeneration became infected when their roots came into contact with roots from infected stumps.

Pre-commercial thinning and soil disturbance led to an increased risk of infection and mortality by black- stain root disease (Leptographium wageneri) in Douglas-fir, with the majority of infection centers being close to roads and skid trails (Hansen et al. 1988) Also another Black-stain root disease (Verticicladiella wagenerii) occurred at a greater frequency in Douglas-fir trees close to roads than in trees located 25 in or more from roads (Hansen 1978). Witcosky et al. (1986) also noted that pre-commercially thinned stands attracted a greater number of black-stain root disease insect vectors.

Complex interactions involve mechanical damage from logging, infestation by root diseases, and attacks by insects. Aho et al. (1987) saw that mechanical wounding of grand fir and white fir by logging equipment activated dormant decay fungi, including the Indian paint fungus (Echinodontium tinctorium).

Trees stressed by logging, and therefore more susceptible to root diseases are, in turn, more susceptible to attack by insects. Goheen and Hansen (1993) reviewed the association between pathogenic fungi and bark beetles in coniferous forests, noting that root disease fungi predispose some conifer species to bark beetle attack and/or help maintain endemic populations of bark beetles.

Goheen and Hansen (1993) observed that live trees infected with Laminated root rot (Phellinus weirii) have a greater likelihood of attack by Douglas-fir beetles (Dendroctonus pseudotsugae). Also, Douglas- fir trees weakened by Black-stain root disease (Leptographium wageneri var. pseudotsugae) are attacked and killed by a variety of bark beetle species, including the Douglas-fir bark beetle (D. pseudotsugae) and the Douglas-fir engraver (Scolytus unispinosis) (id.).

The root disease Leptographium wageneri var. ponderosurn predisposes ponderosa pine to several bark beetle species, including the mountain pine beetle (D. ponderosae) and the western pine beetle (D. brevicomis) (Goheen and Hansen 1993).

A variety of root diseases, including black-slain, Armillaria, and brown cubical butt rot (Phaeolus schweinitzii). predispose lodgepole pine to attack by mountain pine beetles in the interior west The diseases are also believed to provide stressed host trees that help maintain endemic populations of mountain pine beetle or trigger population increases at the start of an outbreak (Goheen and Hansen 1993).

Grand and white fir trees in interior mixed-conifer forests have been found to have a high likelihood of attack by the fir engraver (Scolytus ventralis) when they are infected by root diseases, such as laminated root rot, Armillaria, and annosus (Goheen and Hansen 1993).

More western pine beetles (Dendroetonus breviformis) and mountain pine beetles (D. ponderosae) were captured on trees infected by black-stain root disease (Ceratocystis wageneri) than on uninfected trees (Goheen et al. 1985). The two species of beetle were more frequently attracted to wounds on trees that were also diseased than to uninfected trees. They also noted that the red turpentine beetle (Dendroctonus valens) attacked trees at wounds, with attack

rates seven-to-eight times higher on trees infected with black-stain root disease than uninfected trees. Spondylis upiformis attacked only wounded trees, not unwounded trees. (Preservation/Conservation Organization, Moscow, ID - #22.46.34000.373)

RESPONSE:

Comment acknowledged.

The stands proposed for treatment are susceptible and contain some of the pathogens and insects described. Most have a negative growth value (more dying than growing) and are in a state of decline. The purpose of the project is to reduce existing and potential forest fuels, create conditions that will contribute to sustaining long-lived fire tolerant tree species (ponderosa pine, western larch). Refer to FEIS, Chapter 1, Section 1.3. Ponderosa pine and western larch are the forest tree species most resistant to fire, insects, and diseases found in the project area.

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130. The Nez Perce National Forest should focus on stands farthest outside the historic range.

The Forest Service should focus on those stands that are the farthest outside of the historic range (i.e. the 3.2% of the project area that exhibits frequent, non-lethal fire regimes). (Preservation/Conservation Organization, Boise, ID - #15.96.33000.277)

RESPONSE:

Comment acknowledged. Historic range is a concept based on scale (e.g., temporal and spatial). Only focusing only on the stands that are farthest outside of their historic range would not fulfill the purpose of this project - which is related to reducing existing and potential forest fuels by removing the dead, dying, and downed trees that would otherwise result in high fuel loadings

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131. The Nez Perce National Forest should conduct an inventory of the types and sizes of downed woody material.

Fallen snags that lean against other trees serve as important subnivean access points for mesocarnivores such as Fisher and American Marten. An inventory of the types and sizes of downed woody material should be included in the treatments. (Preservation/Conservation Organization, Boise, ID - #15.129.30100.330)

RESPONSE:

Over the next 10 years or so, many thousands of acres of unharvested lodgepole pine will progressively convert to snags, most of which will fall, lean or “jackstraw” forming excellent subnivean habitat. Given the vast amounts of dead and dying lodgepole pine in the analysis area, and the fact that planned treatment acreage would fall far short of even 10 percent of the local landscape, the growth of important subnivean habitats formed by fallen snags from many acres of unharvested dead

and dying lodgepole pine will dwarf present amounts of this habitat condition, which would make an inventory at this time a relatively meaningless activity.

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132. The Nez Perce National Forest should include contributions of woody debris from sources outside riparian areas when analyzing woody inputs.

EPA recommends that the analysis of large woody debris in the final ETS include contributions from sources outside the riparian areas. While wood contributions from riparian reserves is critical, large wood originating outside of riparian areas is also a key to stream hydrology, fish habitat and water quality on Federal and downstream private lands. Two large wood studies conducted in Western Oregon found that large wood inputs from near-stream riparian areas made up only about half of the total, with the other half coming from up-slope source areas farther from streams. (Federal Agency Official, Seattle, WA - #24.22.13110.244)

RESPONSE:

Review of the studies mentioned and additional literature supplied by your agency highlight that the lands under study where large wood is supplied to streams from outside the RHCA occur mostly from landslides in areas subject to rain on snow events or in unstable landscapes. The project area streams are not located in high risk landscapes and rain on snow events are not a frequent event in American and Crooked Rivers. Streamside and landslide prone RHCAs defined in Section 3.3 of the FEIS are designed to protect existing potential LWD in the project area.

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133. The Nez Perce National Forest should use best available science to define Vegetative Response Units (VRUs)

USING AGENCY LITERATURE ON WILDFIRE IN IDAHO

One of the biggest problems with the DEIS is the inconsistent analysis lack of comparability between VRUs (HVGs, HTGs?) and habitat types. For example, it becomes difficult, if not impossible, to analyze the VRUs in light of important information contained in agency literature on wildfire in Northern Idaho (see Smith and Fischer 1997). (Preservation/Conservation Organization, Moscow, ID - #22.54.13100.270)

RESPONSE:

We have added a definition of Vegetation Response Units (VRUs) and habitat type groups (HTGs) to the glossary and augmented the discussion of VRUs in the FEIS Section 3.10 Vegetation – Analysis Methods. Between the DEIS and the FEIS we have adopted the habitat type groups used for the Idaho Cohesive Strategy (Jones, 2003). Appendix N shows the Idaho Cohesive Strategy habitat type groups by habitat type, so that you can compare them to Kapler-Smith and Fischer's (1997) fire groups or Green et al. 1992 Old Growth habitat type groups.

The habitat types are from existing classifications, including Cooper et al., 1992, and Steele *et al*., 1981. The habitat type groups used in the DEIS are from Applegate *et al*., 1995. The habitat type groups used in the FEIS are from Jones,

2003, except for the weeds analysis, which uses Applegate et al. It is admittedly difficult to track all the different habitat type groups developed for different purposes. We can supply the data table of Jones' habitat type groups upon request.

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134. The Nez Perce National Forest should define and implement diameter limits and spacing between crowns.

A. *Larger diameter trees that are more resistant to ground fire should be left behind. The Forest Service needs to define and implement diameter limits and spacing between crowns for each treatment. Dead and dying Lodgepole pine stands that are beyond the range of current road systems should be left to regenerate naturally, or provide opportunities for climax species, in order to maintain natural ecological cycles. (Preservation/Conservation Organization, Boise, ID - #15.117.34400.201)*

Ground-based logging systems and excavator piling of slash should be minimized, and higher intensity landscape burns should be considered to prevent continuous fuel loads. It is unfortunate that the majority of units will be ground-skidded and machine piled, as the impacts from this are much more severe in terms of soil compaction, erosion and sedimentation. (Preservation/Conservation Organization, Boise, ID - #15.120.34400.231)

RESPONSE:

At this time the lands within the project area have no approved WFU plan and the risks in using prescribed fire at mixed and lethal severities is considered too high in this area, without prior mechanical fuel reduction.

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B. *The above-referenced logging methods have the potential to increase fire risk in the short term, and therefore would be counter-productive towards meeting the fire risk reduction purpose of the project. Forest openings can result in increased wind speed and related blow-down, more rapid drying of the forest vegetation, and dense tree and shrub regeneration. Additionally, slash on the ground can lead to increased short-term fire risk as has been demonstrated throughout the industrial forestlands of North Idaho and beyond. (Preservation/Conservation Organization, Boise, ID - #15.97.34400.270)*

RESPONSE:

It is acknowledged that the short-term risk of a high severity wildfire is possible between the time of the vegetation treatment and the slash disposal is completed. The long term benefits of the treatments, modified fire behavior and lower future fuel loadings, outweigh the short term risk. Additionally after the slash disposal is completed the fuel loadings within the treatment units will be less than 12 tons per acre. If the treatments are not completed and stands continue to transition to Fuel Model 10 and 13 we would see fuel loadings in excess of 12 tons per acre.

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135. The Nez Perce National Forest should compare present, historic, and post-treatment fuel loads and canopy densities.

The Forest Service needs to compare present, historic, and post-treatment fuel loads and canopy densities for each unit within the proposed treatment areas. (Preservation/Conservation Organization, Boise, ID - #15.93.30300.277)

RESPONSE:

The text has been updated in the FEIS document to address the current, predicted future, and post-treatment fuel models for the project area. Please see the Fire/Fuels discussion located within chapter 3 of the American Crooked FEIS.

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136. The Final EIS should provide more data on current and target crown densities.

The Forest Service needs to provide more quantified data on the current and target levels of crown densities in the project area. (Preservation/Conservation Organization, Boise, ID - #15.94.13110.335)

RESPONSE: See FEIS, Chapter 3, Section 3.10

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137. The Nez Perce National Forest should address shade tolerant species.

On south-facing slopes, the Forest Service should reduce the number of shade tolerant species. On north-facing slopes, canopies are historically denser with a greater abundance of shade tolerant species. (Preservation/Conservation Organization, Boise, ID - #15.98.33000.277)

RESPONSE: See FEIS, Chapter 3, Section 3.10.

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138. The Nez Perce National Forest should use patch cuts.

A. WITH OPENINGS OF FOUR ACRES OR LESS

Any and all patch cuts within the entire home range/foraging area should be four acres or less with reserve trees in order to be consistent with the Management Recommendations (Reynolds et al. p. 26):

Openings (up to 4 acres), for herbaceous and shrubby under story development and tree regeneration, are desired in ponderosa pine and mixed-species forests; smaller openings are desired in spruce-fir forests (Reynolds et al. 1992, p, 6).

Because goshawks are forest and forest-edge predators that scan for prey from trees, creating openings larger than 4 acres effectively removes these areas from goshawk foraging habitat and departs from VSS requirements for openings in the Management Recommendations. (Preservation/Conservation Organization, Boise, ID - #15.81.34400.391)

RESPONSE:

The purpose of the project is to reduce existing and potential forest fuels, encourage conditions for sustaining long-lived, fire tolerant conifer species, and contribute to both the economic and social well being (safety & economic security) of local residents. Within this broader objective, we sought to design a compromise approach, incorporating mitigations as needed to minimize impacts on goshawks and their habitats.

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B. BECAUSE IT WILL HELP REDUCE DANGER FOR FIREFIGHTERS

I support your plan to punch clear-cuts into the forests in the American and Crooked Rivers area. I believe they will help firefighters if a wildfire occurs. (Individual, Lewiston, ID - #7.1.34410.270)

RESPONSE: Comment acknowledged.

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139. The Nez Perce National Forest should learn from past regeneration harvests on the Nez Perce and other forests that are dominated by lodgepole pine stands.

It is critical that the Nez Perce National Forest (NPNF) learn from past examples of regeneration harvests on the NPNF and other forests that are dominated by Lodgepole pine stands. Evidence shows that under extreme conditions, young stands of dense Lodgepole pine will burn. An example of this is visible on the Caribou-Targhee National Forest, directly adjacent to Yellowstone National Park. The Clover-Mist Fire (1988) was started by woodcutters in a clear cut stand, which had re-grown with thick Lodgepole pines. Even though aggressive and responsive fire suppression actions were undertaken, the fire quickly spread through adjacent stands and burned into Yellowstone Park, eventually threatening Old Faithful. Similar examples of clear cutting Lodgepole pine stands should be sought out by the NPNF, and research conducted to determine the effectiveness of logging activities on fire behavior. (Preservation/Conservation Organization, Boise, ID - #15.102.33000.279)

RESPONSE:

It is acknowledged that there is a short timeframe, when canopies grow together in overstocked stands, where lodgepole pine stands that are regenerating may have increased fire behavior characteristics until the canopies start to lift off the ground. As the commenter stated this occurs under extreme conditions (i.e., low fuel moistures, high temperatures, and high wind conditions). The FEIS, Chapter 3, Section 3.4, that under extreme fire conditions fire behavior is rarely responsive to either fuel treatments or suppression actions. What this project is attempting to do is modify the fire behavior in the conditions that would have historically produced large fires but are not the worst case conditions.

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140. The Nez Perce National Forest should not set unrealistic standards and guidelines for timber harvesting.

BECAUSE IT PREVENTS AGGRESSIVE TREATMENTS THAT MOVE THE AREA TOWARD NATURAL DISTRIBUTION OF AGE CLASS AND SPECIES

Acres treated -only 8.7% of the total project area was treated. While a clear objective is to protect Elk City from catastrophic fire, one must question if unrealistic plan standards prevented treatment of sufficient acres to accomplish the project objective. This is of particular concern since approximately 80% of the area is in the 9-21 "dbh category, prime for forest health treatment. It would appear that other resource limitations, possibly unrealistic standards and guides, are preventing more aggressive treatment to move this area towards the more natural distribution of age class and species. (Timber/Wood Products Industry, Kamiah, ID - #5.7.34300.160)

RESPONSE: Comment Acknowledged

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Old Growth

141. The Nez Perce National Forest should conduct field reviews.

A. TO DETERMINE IF TIMBER HARVEST UNITS MEET OLD GROWTH CRITERIA

We question the assertion that that no logging will occur in stands of old growth. We encourage you to conduct field reviews in order to determine whether or not any of the logging units currently meet Old Growth Criteria, as described in Old-Growth Types of the Northern Region (Green et al, 1992). Numerous problems have been found with old growth inventories on the adjacent Clearwater National Forest, and to avoid any similar occurrences, the NPNF should immediately initiate a forest wide analysis of old growth as part of this and other projects in the Elk City area. (Preservation/Conservation Organization, Boise, ID - #15.134.30100.365)

RESPONSE:

Between the draft and final documents, we conducted a second analysis of the project using Forest Plan old growth criteria from Appendix N. This review resulted in conducting field reviews and plot sampling of planned harvest stands that were suspected Forest Plan old growth. This resulted in removal of 4 harvest units from the draft to the final project. We then took this follow-up analysis a step further by carefully evaluating risks that existing old growth units may have patches or extensions of the old growth conditions which extended into planned harvest units. All Units were field reviewed by a certified silviculturist and units which appeared to be old growth were sampled using the National Common Stand Exam Protocol. Units larger than ten acres that meet the definition of old growth are to be left untreated.

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B. TO DETERMINE IF OLD GROWTH SHOULD BE HARVESTED

The DEIS is not clear whether there has been any site specific analysis of the cutting units to determine whether extant old growth would be logged. The DEIS is not clear what definition of old growth is being used, the forest plan definition or the North Idaho guidelines. (Preservation/Conservation Organization, Moscow, ID - #22.72.30300.365)

RESPONSE:

The original analysis utilized criteria from the North Idaho guidelines. Between the draft and final documents, we conducted a second level, more intensive analysis of the project using Forest Plan old growth criteria from Appendix N. See response to comment 141(A).

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142. The Nez Perce National Forest should meet old-growth objectives.

A. BY CONDUCTING INVENTORIES AND MONITORING

The fact that the Nez Perce NF has not monitored the population trends of its old-growth management indicator species (MIS) as required by the forest plan bears important mention here. The Nez Perce NF has failed to insure viability of MIS and TES species to date. The monitoring reports from FOC to the Nez Perce National Forest (referenced in this comment) bear this out. Unfortunately, region-wide the FS has failed to meet Forest Plan old-growth standards, does not keep accurate old-growth inventories, and has not monitored population trends in response to management activities as required by Forest Plans and NFMA (Juel, 2003). (Preservation/Conservation Organization, Moscow, ID - #22.63.30100.210)

RESPONSE:

A complete summary record of our Forest Plan monitoring of MIS and TES species results is listed at the back of and supports the terrestrial species viability analysis document titled: “Habitat-Based Terrestrial Vertebrate Populations Viability Related to the American and Crooked River Project” (USDA FS, 2004a), available in the project files. Our species viability analysis is more than simply a “proxy on proxy” approach.

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B. THROUGH FLEXIBILITY IN ACCOMPLISHING OLD-GROWTH OBJECTIVES

Old growth - if we understand the data, there is only a total of 13 acres of 21" dbh + in the total project area. The strategy to meet old growth objectives would be to preserve these areas, and select the appropriate amount of area from the 9-21" dbh category to provide old growth replacement. Since almost 80% of the project area is in this size category, there should be considerable flexibility in accomplishing objectives. (Timber/Wood Products Industry, Kamiah, ID - #5.6.34100.365)

RESPONSE:

This comment was generated by a misconception that the size/structure data in the vegetation section of the DEIS, equated to old growth. While there is certainly a correlation, the actual old growth habitat has more specific characteristics. The size and structure data for vegetation in the project area and the American and Crooked River drainages has been re-analyzed between the DEIS and FEIS using an updated Region 1 vegetation coverage. As the new analysis portrays, a large amount of the project area is in the greater than 15 inch dbh size class, and meeting Forest Plan requirements for replacement old growth is relatively easy to do and provides some flexibility to accomplish objectives while protecting future blocks of old growth. This analysis is located in the vegetation section of Chapter 3 in the FEIS.

The further refined old growth habitat analysis is located near the end of the wildlife section in chapter 3. This analysis received extensive updating between the DEIS and FEIS. Specifically, the Forest Inventory and Analysis (FIA) plots were completed and the total old growth forest wide was summarized (see table in the old growth section of Chapter 3).

Old growth validation surveys were conducted within the project area in designated old growth stands during the fall of 2004. These stands were originally designated using data from stand exams that were 15-20 years old. It was felt that the data may be stale and the stands may have changed enough to no longer meet the strict Forest Plan definition of old growth (15 trees per acre >21 inches DBH). The results of the surveys and conclusions are located in the old growth analysis section of Chapter 3.

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Weed Management

143. The Nez Perce National Forest should adequately fund and monitor for weeds.

Monitoring for weeds and acquiring adequate funding for weed treatments need to be required and guaranteed. (Preservation/Conservation Organization, Boise, ID - #15.90.30100.001)

RESPONSE:

Through the analysis a set of project design criteria or mitigation requirements have been established to address the risk of weed spread and colonization resulting from the proposed project. The design criteria include prevention measures, spot treatment, monitoring, re-survey of risk zones for changes in weed infestations and, where appropriate, the re-vegetation of disturbed soil (Chapter 2 - Design Criteria). The implementation of these invasive plant design criteria would insure that weed spread from ground disturbing actions is minimized or eliminated.

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144. The Nez Perce National Forest should consider weed management.

A. WITH COORDINATION OF NOXIOUS WEED EFFORTS

We are particularly concerned with noxious weeds because there is no comprehensive weed management strategy for this area. With the amount of commercial and recreational activity taking place on private and National Forest lands in this area, failure to coordinate efforts will make project-level strategies inadequate. (Preservation/Conservation Organization, Boise, ID - #15.87.30300.371)

RESPONSE:

The American River and Crooked River Watersheds fall within the Clearwater Basin Weed Management Area (CBWMA). The CBWMA is a community-based effort that brings together those responsible for weed management within the Clearwater River Basin, to develop common weed management objectives, set realistic priorities, facilitate effective treatment and coordinate efforts along logical geographic boundaries with similar land types, use patterns and problem plants. Partners involved in the CBWMA include Idaho County, Clearwater County, Lewis County, Clearwater NF, Nez Perce NF, BLM, Nez Perce Tribe, University of Idaho, Clearwater RC&D, Back Country Horseman and Private landowners. The intent of reducing risk of weed spread and establishment, treating small infestation before they expand, providing focus on the transportation network, and reoccurring surveys integrate many of the priority elements of the Clearwater Basin Weed Management Area. Coordination at multiple scales is a tenet of cooperative weed management programs across jurisdictional boundaries. As a result weed management efforts are coordinated across local, basin, regional and state levels by the community partnership of which the National Forest is an active participant.

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B. TO BE PROACTIVE IN PREVENTING INFESTATION

Although the Forest Service does not consider the weed situation to be severe, the Forest Service should realize that it is far cheaper to be proactive, in order to prevent infestation, as opposed to having lax standards and to allow the situation to deteriorate. This is a potentially large threat considering the level of disturbance that is proposed and the new road construction that will increase motorized vehicles in previously non-impacted areas, acting as vectors for new infestations of noxious weeds. Due to the limitations for herbicide application in these high-priority watersheds, action must be taken to avoid weed infestations and should have been addressed as part of this analysis. (Preservation/Conservation Organization, Boise, ID - #15.91.32510.371)

RESPONSE:

The design criteria (Chapter 2 - Design Criteria) were developed as a result of the risk assessment conducted as part of the analysis. They reflect a concern for the potential of weed spread from ground disturbing activities, taking into account the type and condition of the vegetation communities within the project area. The proposed mitigation is commensurate with the risk. Integrating project level actions

within the broader context of a community-based strategy add strength to the overall weed management effort in the upper watersheds of the Clearwater basin. Refer, also to response to comment 144(A), above.

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145. The Nez Perce National Forest should address how the proposed project will adversely affect native species.

The Forest Service has failed to adequately address how the proposed project will adversely affect native species by allowing noxious weed importation and establishment. (Preservation/Conservation Organization, Boise, ID - #15.88.21100.371

RESPONSE:

The weed risk assessment in Chapter 3 is based on the susceptibility of the native plant communities in the project area, weed infestations found in the area, the level of disturbance and presences of spread corridors. Briefly, the analysis found that there is a moderate risk of weed spread and establishment as a result of proposed disturbances. To reduce the risk of continued weed spread design criteria (FEIS, Chapter 2, Design Criteria) is integrated into the project and will be a requirement of the proposed project. Noxious weeds will not be allowed to spread nor establish as a result of implementation of the proposed project. Therefore, it is expected that no adverse affects to native plant communities will occur.

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SECTION 10 - WILDLIFE

146. THE NEZ PERCE NATIONAL FOREST SHOULD CONSIDER POPULATION VIABILITY AT THE FOREST LEVEL.

For the proposal to be consistent with the Forest Plan, enough habitat for viable populations of old- growth dependent wildlife species is needed over the landscape. Considering potential difficulties of using population viability analysis at the project analysis area level (Ruggiero, et. al, 1994), the cumulative effects of carrying out multiple projects simultaneously across the Nez Perce NF makes it imperative that population viability be assessed at least at the forest wide scale (Marcot and Murphy, 1992). (Preservation/Conservation Organization, Moscow, ID - #22.67.32200.350)

RESPONSE:

An analysis of terrestrial species population viability analysis has been prepared and is available in the project files titled: "Habitat-based Terrestrial Vertebrate Populations Viability Related to the American and Crooked River Project" (USDA FS, 2004a). This analysis incorporates landscape and local habitat information as well as a summary of MIS populations monitoring data & trends from the Forest Plan Monitoring & Evaluation Reporting required by the Forest Plan. It is not simply a "proxy on proxy" approach to population viability analysis.

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147. The Nez Perce National Forest should consider wildlife fragmentation.

A. *The fragmentation of wildlife habitat by the proposed treatments needs to be assessed. The effects of regeneration harvesting on species dependent upon contiguous forested habitat should be considered. We are particularly concerned that the proposed action has the potential to negatively impact American Marten, Fisher, Wolverine, Moose, Elk, and Canada Lynx. (Preservation/Conservation Organization, Boise, ID - #15.127.30300.331)*

RESPONSE:

The fragmentation discussion and effects analysis information for old growth species is located in the FEIS (Chapter 3, Section 3.11). Fragmentation analysis and discussions for wolverine, moose, elk, and Canada lynx are located in the FEIS in Chapter 3, Section 3.11.

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B. *Treatments need to be timed to reduce the impact on nesting birds and denning mammals. (Preservation/Conservation Organization, Boise, ID - #15.125.34000.350)*

RESPONSE:

Project design and mitigation measures have been added to better address these concerns in the FEIS. See project design and mitigation section.

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148. The Nez Perce National Forest should consider cumulative and direct impacts of the treatments on local wildlife populations.

In addition to the direct impacts these treatments will have on local [wildlife] populations, the cumulative or linked impacts of these activities on adjacent populations needs to be considered. (Preservation/Conservation Organization, Boise, ID - #15.126.30300.350)

RESPONSE:

Within the FEIS, the cumulative effects or linked impacts are addressed in Chapter 3, Section 3.11.

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149. The Nez Perce National Forest should leave snags for cavity nesters.

A sufficient number of snags need to be left standing in each treatment area for cavity nesters until snags can be replaced by natural recruitment. Standing trees need to be overstocked to ensure sufficient habitat until new trees mature. (Preservation/Conservation Organization, Boise, ID - #15.128.34400.330)

RESPONSE:

The target numbers of snags retained per acre used as an objective is from the Forest Plan, Appendix N-3, and specific project implementation guidelines for the

project follow the "Northern Region Snag Management Protocol", in the project file.

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150. The Nez Perce National Forest should consider goshawks and follow guidelines and requirements.

A. *The DEIS implies that no formal surveys for goshawks have occurred in the project area. At best, there are sighting records. In order to meet the requirements of NFMA and NEPA, these kinds of surveys need to be conducted for all MI and TES species. (Preservation/Conservation Organization, Moscow, ID - #22.65.30100.340)*

RESPONSE:

Although no formal surveys were conducted for goshawks, the Forest Wildlife Biologist spent 5 weeks surveying habitat conditions, reporting incidental sightings, and searching for suitable harvest sites during early summer of 2003. Several sightings and potential nesting activity areas were thus identified and are documented in the project files (See Crooked_Amer-Wildlife_Observations_Table.doc). Conducting individual species surveys throughout a landscape as extensive as the American/Crooked project was neither a practical nor affordable alternative given the timeframes to complete this project.

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B. *The DEIS suggests that because of major differences in forest types, habitat, and availability of riparian zones, the cross-region application of the Management Recommendations cannot be justified. However, it mentions that no guidelines exist for goshawk nest and habitat protection within USFS Region 1. Given the lack of guidelines, the sensitivity of goshawks to disturbance via logging, and the scope of the project, management should rely on these recommendations to ensure a level of prudence. (Preservation/Conservation Organization, Boise, ID - #15.82.10400.390)*

RESPONSE:

Considering the fact that the large tree component and higher canopy closures preferred by goshawks for nesting will, in many cases occur within old growth, and the project harvests no old growth stands (either Forest Plan or North Idaho standards) nor in Riparian Habitat Conservation Areas, existing and historic nests identified during layout goshawks nests should be adequately protected. See Chapter 2: Mitigation and Design Measures Section.

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C. TO DETERMINE EXISTING ALTERNATIVE GOSHAWK NESTS

In addition to protecting existing alternate nests, the Management Guidelines specifically recommend that a minimum of three presently suitable nest areas of 30 acres each should be maintained per home range. These nest areas are usually mature old trees and dense forest canopies: "No adverse management activities

should occur at any time in suitable nest areas" (Reynolds et al. 1992). For each goshawk home range, the Forest Service should have identified three 30-acre stands of present nest sites for a total of 90 acres. In addition to protecting three suitable nest areas, the Management Recommendations also suggest that land managers identify and prepare three 30-acre stands of replacement nest sites for a total of 90 acres in the event that the original nest sites are lost in a wildfire or other event. The Forest Service should manage these replacement sites to ensure future stand conditions consisting of dense, mature stands with high tree cover and high basal area. (Preservation/Conservation Organization, Boise, ID - #15.80.32400.391)

RESPONSE:

See above comments. The Nez Perce National Forest has not inventoried all potential goshawk nests in the project area, thus protecting currently unknown nests is not possible at this time. Further, old-growth stands which tend to have disproportionate amounts of nest selection characteristics preferred by goshawks are protected from all harvests, further reducing risks of unknown nest habitat losses to harvesting.

Management recommendations proposed by Reynolds et al., 1992, were developed specifically for the southwestern United States. Thus, it would be inappropriate to apply these guidelines to the moister, intermountain west. Given that this project will not harvest old growth stands and that active or newly discovered goshawk nests will be protected, goshawks nests should be adequately protected.

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151. The Nez Perce National Forest should design this project such that legal requirements for protecting habitat of threatened and endangered (TE) and other sensitive species are recognized.

RESPONSE:

The legal requirements for protecting threatened and endangered and other sensitive species habitats have been met as addressed in the Biological Assessments (T&E), and the sensitive species discussions within the FEIS. In addition, a terrestrial and aquatic species viability analysis is provided which provides rationale supporting long-term persistence of these species. See FEIS, ROD, BEs Appendix E and J.

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A. BY MEETING EXISTING FOREST PLAN GOALS REGARDING RECOVERY OF TE HABITAT AND PROMOTION OF INTRINSIC WILDLIFE VALUES

The following goal in the Forest Plan is not being met and would be further compromised by massive logging and vegetation projects under the ruse of fire prevention: Provide habitat to contribute to the recovery of Threatened and Endangered plant and animal species in accordance with approved recovery plans. (Individual, Delmar, NY - #28.4.10400.340)

RESPONSE:

Recovery of wolves has been accomplished. The amount of designated lynx habitat within the project area is extremely limited (see FEIS, Chapter 3 – Section 3.11), and all requisites of the Lynx Conservation Assessment and Strategy have been satisfied (see lynx section of FEIS). The project occurs outside the wintering area of bald eagles. The U.S. Fish & Wildlife Service has reviewed and verbally agreed with the conclusions in the Biological Assessment (see Level 1 consultation notes).

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B. BY MEETING FOREST PLAN STANDARDS FOR OLD GROWTH

The Forest Service also has a responsibility to protect replacement old growth areas, particularly since the NPNF is not meeting the Forest Plan Standards for Old Growth throughout the majority of these watersheds. (Preservation/Conservation Organization, Boise, ID - #15.137.10400.365)

RESPONSE:

After the DEIS and comments, a more extensive and intensive old growth analysis using Forest Plan standards and field review of stands further removed harvest units that would meet North Idaho and Forest Plan old growth definitions. In addition, provisions and mitigations to field inventory units near old growth patches will be implemented. See FEIS, old growth section.

The American and Crooked River Project was designed to avoid all direct harvest impacts in old growth and replacement stands.

See response to 142.B.

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C. BY AVOIDING HABITAT FRAGMENTATION TO COMPLY WITH MARTEN HABITAT GUIDELINES

Because of the significant extent of logging and clearcutting proposed under the project, the impacts of each alternative appear to be inadequately analyzed. According to Forest Management Guidelines for the Provision of Marten Habitat (Robert Watt, et al.), gaps of open habitat more than 1-2 kilometers should be avoided. The project proposes a 34% clearcut. Habitat fragmentation and the proven subsequent decline in pine marten populations appear to be inevitable under the Proposed Action. (Preservation/Conservation Organization, Boise, ID - #15.86.13100.330)

RESPONSE:

The impacts of each alternative on marten and their habitat have been discussed in the FEIS, Chapter 3, Section 3.11. In addition, the cumulative effects section has been updated.

The FEIS acknowledges effects of additional harvest and fragmentation effects on pine marten habitats, but also the discussion cites work from Coffin, et al. 2002, which indicates that despite heavily logged and roaded areas, pine marten can

tolerate and remain in such areas (see FEIS, Section 3.11 – pine marten). The analysis further discusses and assesses fragmentation effects and the impacts of the activities.

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D. <u>BY DEMONSTRATING THAT TIMBER HARVEST ACTIVITIES ARE NOT IN CONFLICT WITH ESA AND FOREST PLAN HABITAT PROTECTION REQUIREMENTS FOR FISH</u>

Given the above concerns, it is difficult to see how this project meets the ESA regarding listed fish species. There is no solid evidence from monitoring that habitat is recovering and no evidence at all that streams are now meeting forest plan stands (see appendix A forest plan). As such, approval of the non restoration parts of the project--logging and man-made building-are in conflict with the forest plan, the ESA, and treaty obligations. (Preservation/Conservation Organization, Moscow, ID - #22.30.10400.100)

<u>RESPONSE</u>:

Please refer to the FEIS Record of Decision, which includes the Biological Evaluation for listed fish and wildlife. While current conditions of fish habitat are below objective in project area streams, this project, as required under the Forest Plan, is designed to improve these conditions (FEIS, Chapter 3, Section 3.2).

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152. The Nez Perce National Forest should design this project such that best available science for protecting sensitive species is acknowledged.

A. <u>BY ADOPTING LANDSCAPE-SCALE MANAGEMENT CONCEPTS WITH BUFFERS, RESERVES, AND CONNECTORS</u>

State-of-the-art conservation biology and the principles that underlie the agency's policy of "ecosystem management" dictate an increasing focus on the landscape-scale concept and design of large biological reserves accompanied by buffer zones and habitat connectors as the most effective (and perhaps only) way to preserve wildlife diversity and viability (Noss, 1993).

The FS has stated: "Well distributed habitat is the amount and location of required habitat which assure that individuals from demes distributed throughout the population's existing range, can interact. Habitat should be located so that genetic exchange among all demes is possible." (Mealey 1983.) (Preservation/Conservation Organization, Moscow, ID - #22.69.13100.330)

<u>RESPONSE</u>:

The FEIS used best available science and a landscape scale approach in the analysis through reference to the South Fork Clearwater River Landscape Assessment as well as consideration and referencing updated theories and biodiversity studies pertaining to old growth (See FEIS discussion in Chapter 3, Section 3.11). This discussion addresses ability of the habitat to facilitate genetic exchange commensurate with historic landscape patterns and disturbance

regimes. The discussion also highlights that connectedness must be balanced with risks of natural disturbance events and must be considered when evaluating long-term habitat integrity. Additional discussion on neotropical migrant birds and their habitats is in the FEIS, Chapter 3, Section 3.11. For additional discussion by old growth indicator species, see FEIS, Chapter 3, Section 3.11.

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B. <u>BY CONDUCTING MONITORING AND POPULATION VARIABILITY ANALYSIS FOR AREAS THAT MAY EXCEED THE SIZE OF THE PROJECT AREA</u>

1. *The FS in this region has acknowledged that viability is not merely a project area consideration, that the scale of analysis must be broader:*

Population viability analysis is not plausible or logical at the project level such as the scale of the Dry Fork Vegetation and Recreation Restoration EA. Distributions of common wildlife species as well as species at risk encompass much larger areas than typical project areas and in most cases larger than National Forest boundaries. No wildlife species that presently occupy the project area are at such low numbers that potential effects to individuals would jeopardize species viability. No actions proposed under the preferred alternative would conceivably lead to loss of population viability. (Lewis and Clark NF, Dry Fork EA Appendix D at p.9.) (Preservation/Conservation Organization, Moscow, ID - #22.69.13100.330)

<u>RESPONSE</u>:

The viability discussion for various wildlife species has been revised and improved (see wildlife section 3.11), as well as Appendix J.

The analysis of effects and species viability discussions for various wildlife species included in the American and Crooked River project looked beyond the project level. The majority of the wildlife analysis for this project encompassed the entire 5th code watersheds associated with this project (American and Crooked Rivers). Wildlife information related to the amount of existing habitat potentially available for certain sensitive and management indicator species was modeled using the Northern Region Vegetation Mapping Project dataset (R1-VMP) to describe abundance and distribution of wildlife habitat for American and Crooked River drainages. This information can be found in Chapter 3, wildlife section, of the FEIS. The Nez Perce National Forest also used the 2000-2002 Forest Inventory and Analysis (FIA) survey dataset to ascertain the abundance and distribution of certain wildlife, old growth and snag habitats at various scales: watershed (5th Hydrologic Unit Code – HUC), subbasin (4th HUC), and forest-wide. A revised viability analysis can be found in Appendix J of the FEIS, which incorporates both R1vmp and the FIA data. Additional information regarding species viability can also be found in the project file, which incorporates results of the Forest's monitoring efforts since the Forest Plan was signed in 1987.

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2. *The DEIS should have firmly established that the species that exist, or historically are believed to have been present in the analysis area are still part of viable*

populations. Since Forest Plan monitoring efforts have failed in this regard, it must be a priority for project analyses. Yet, the project analysis relies on this inadequate and/or unavailable forest plan monitoring. Identification of viable populations is something that must be done at a specific geographic scale. The analysis must cover a large enough area to include a cumulative effects analysis area that would include truly viable populations. Analysis must identify viable populations of MIS, TES, at-risk, focal, and demand species of which the individuals in the analysis area are members in order to sustain viable populations. (Preservation/Conservation Organization, Moscow, ID - #22.70.13100.340)

RESPONSE:

The complete summary record of our Forest Plan monitoring of MIS and TES species results is located in and supports the terrestrial species viability analysis document in the American & Crooked River Project File titled: "Habitat-Based Terrestrial Vertebrate Populations Viability Related to the American and Crooked River Project" (USDA FS, 2004a), available in the project files. This species viability analysis incorporates both habitat and population data and is more than simply a "proxy on proxy" approach.

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C. BY CONDUCTING OLD GROWTH ANALYSIS THAT IS CONSISTENT WITH HABITAT ANALYSIS

The old growth analysis is inconsistent with the analyses for various species dependent on old growth habitats. The DEIS maintains that no old growth would be affected by any alternative. However, habitat for old growth species would be affected. (Preservation/Conservation Organization, Moscow, ID - #22.71.13100.365)

RESPONSE:

The American and Crooked River Project was designed to avoid all direct harvest impacts on old growth and Forest Plan minimum replacement stands. While no direct effects are realized, NEPA requires that indirect as well as cumulative effects be disclosed. These disclosures by species are related in the FEIS, Chapter 3, Section 3.11. Related discussion on Neotropical migrant birds and their habitats is in the FEIS, Chapter 3, Section 3.11.

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153. The Nez Perce National Forest should evaluate the impacts of the project on management indicator species.

Additional issues of concern include evaluation of the impacts of the project on management indicator species and the impact of this project on the long term viability of species. (Preservation/Conservation Organization, Boise, ID - #15.146.32100.340)

RESPONSE:

MIS impacts evaluations are discussed in Chapter 3 of the FEIS in the wildlife and fisheries section. Long-term viability of these species was summarized in the FEIS

and Appendix J, and the complete analysis for wildlife is available in the project file titled: "Habitat-based Terrestrial Vertebrate Populations Viability Related to The American and Crooked River Project" (USDA FS, 2004a). This analysis incorporates both habitat data as well as MIS populations monitoring results since the Forest Plan was signed. It is more than simply a "proxy on proxy" approach.

The Fisheries section (3.3) of the FEIS provides a summary of the status and trends for management indicator species (MIS) as well as a discussion of population viability. The complete analysis is contained in the project record.

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154. The Nez Perce National Forest should conduct statistics concerning wildland fire ignitions and a decrease in elk habitat.

There is a positive correlation between roads, even temporary ones, and human-caused wildfire ignitions and decreases in Elk Habitat Effectiveness (EHE). Statistics and findings related to human-caused fires and EHE need to be addressed and analyzed. (Preservation/Conservation Organization, Boise, ID - #15.65.30300.330)

RESPONSE:

Open and seasonally open road and trail densities are factored as inputs to the North Idaho Summer Elk Model, which generated habitat suitability effectiveness outputs (related in Table 3.157, Chapter 3 of the FEIS. Although the presence of and frequent public travel on open roadways may increase human-caused fire risks, and similar open roads and trails may result in impacts to elk habitat effectiveness independently, we can think of no logical, resource effects rationale to correlate the statistics and findings between these two otherwise unrelated parameters.

As referenced in Chapter 3, Section 3.4 of the FEIS, there have been 9 human-caused fires of the 86 fires within the project area occurring from 1970 through 2003.

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155. The Nez Perce National Forest should complete the project to provide for elk forage.

The referenced project will assist in providing elk forage so vital and necessary for recovering the declined elk herds in and around the project areas. (Recreation/Conservation Organization, Moscow, ID - #1.1.32200.351)

RESPONSE:

A significant part of the elk habitat improvement from this project will come from improved habitat security related to road decommissionings. Foraging habitat will be improved as well.

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SECTION 11 - SOCIOECONOMIC

156. THE NEZ PERCE NATIONAL FOREST SHOULD WORK WITH INDUSTRIES OTHER THAN THE TIMBER INDUSTRY.

FOR TOURISM

We could have more tourists than Colorado has in 20 years if our State and your department could work in harmony with an industry other than timber. My industry is real estate and I support the forest plan put forth by Friends of the Clearwater. Your decision concerning the fate of forests within our beloved State of Idaho will impact me for the rest of my life. (Individual, Moscow, ID - #21.3.34000.810)

RESPONSE: Comment Acknowledged

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157. (old 158.) The Final EIS should be comprehensive in explaining the economics of the American and Crooked River Project.

A. BY CLARIFYING WHAT "ECONOMIC OBJECTIVE" REFERS TO, FROM PAGE 20 OF THE DEIS, "ENTRY INTO MIXED CONIFER STANDS IS INCLUDED TO MEET THE ECONOMIC OBJECTIVE."

At page 20, the DEIS states, "Entry into mixed conifer stands is included to meet the economic objective." Please clarify which objective this is referring to, as no economic objective is provided at page 10, where project objectives are disclosed. Further, because no economic objective is given at page 10, this alternative falls outside the scope of this analysis. If an economic objective is part of the purpose and need of this project, the proposal must be re-scoped. (Preservation/Conservation Organization, Boise, ID - #15.22.21100.800)

RESPONSE:

The project objectives are discussed in the Purpose and Need For Action Section on page 2 of the FEIS. The first paragraph of the section defines one purpose of the project to "contribute to the economic and social well-being of people who use and reside within the surrounding area." By entering (treating) mixed conifer stands, additional economic gains can be gained.

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B. BY EXAMINING THE ECONOMIC EFFECTS OF A RESTORATION ALTERNATIVE REHABILITATING THESE WATERSHEDS SO THEY MEET BENEFICIAL USES

Any work performed in this watershed will have difficulty paying for itself given the low value of the timber and the high operating costs necessary to mitigate for previous legacy problem. The FEIS should examine the economic effects of a restoration alternative rehabilitating these watersheds so they meet beneficial uses. Healthy watersheds would improve fisheries and benefit outfitters, guides, and supporting recreational industries. One need only examine the name of the drainage, the Clearwater, to remind oneself of what is possible. (Preservation/Conservation Organization, Boise, ID - #15.142.21100.800)

RESPONSE:

A restoration alternative was considered and eliminated from detailed study because it does not respond to the purpose and need. (FEIS chapter 2)

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C. BY DISCUSSING THE IMPACT OF THE UPSWING IN THE TIMBER MARKET, AND IT'S POTENTIAL IMPACT ON PROPOSED RESTORATION WORK

The FEIS should discuss the impact of the upswing in the timber market, and the potential impact on proposed restoration work. At the time of the project's conception, timber prices were extremely low and may have led to limited planning for restoration. With an ensuing rebound in timber prices, additional restoration may be feasible. (Preservation/Conservation Organization, Boise, ID - #15.140.21100.820)

RESPONSE:

The economic analysis in Chapter 3 is intended to be used as an indicator of value and costs. The true value received can only occur when a timber sale is sold. The economic analysis displays the values and costs available at the time of printing and have been updated from what was displayed in the DEIS.

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D. BY FACTORING IN THE COSTS TO RETURN THE WATERSHED TO A CONDITION SUPPORTING BENEFICIAL USES FOR EACH ALTERNATIVE

In addition to analyzing the economic costs and benefits of each alternative in terms of expected timber yield, benefits, and harvest costs, the FEIS must factor in the costs to return the watershed to a condition supporting beneficial uses for each alternative. The FEIS needs to factor in the costs of decommissioning all high-risk roads, rehabilitating degraded areas, losses in the recreation industry resulting from decreased and low-level fish production. The FEIS also must address the costs associated with preparing the EIS, administering the sale and other administrative costs associated with the planning and preparation of the project. Please include all costs associated with this sale in the FEIS. (Preservation/Conservation Organization, Boise, ID - #15.139.21100.830)

RESPONSE:

The alternative tables, displaying the projected revenue and cost of implementation, in Chapter 3, Section 3.12, do incorporate the direct costs of road decommissioning and rehabilitating degraded areas (mine sites, soil restoration, etc.) The indirect effects analysis discusses recreation activity, and an increase in anadromous fish habitat improvement. The costs associated with planning, preparing, and administering the project are normally not included in economic analyses.

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E. BY DISCUSSING THE USE OF OFF-BUDGET FUNDS

The FEIS should also discuss the use of off-budget funds (i.e. KV, BD, Roads and Trails, etc) in the accomplishment of various components of this proposal. (Preservation/Conservation Organization, Boise, ID - #15.141.21100.835)

RESPONSE:

The alternative tables, displaying the projected revenue and cost of implementation, in Chapter 3, Section 3.12, display KV and BD costs. The KV costs are displayed as reforestation line items. The BD costs are displayed as line items for broadcast burning, underburning, and excavator pile and burning. The restoration work and costs associated are also displayed in the tables. How this work is to be funded is to be determined.

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F. BY INCLUDING THE LONG-TERM OUTLOOK FOR THE PROJECT AREA IN THE ECONOMIC ANALYSIS

Following implementation of the project, it should be expected that dense thickets of Lodgepole Pine would regenerate in the logged areas. In the course of 80 years, this will result in beetle-susceptible stands and if current ideology continues to plague the Forest Service, this will necessitate identical treatments at that time. This is the long-term outlook for the project area, based on the likely scenario. This sequence of events should be considered in the FEIS analysis, and particularly in the economic analysis. (Preservation/Conservation Organization, Boise, ID - #15.110.21100.820)

RESPONSE:

The scenario described in the comment is an accurate description of the expected life cycle of Lodgepole pine habitat. However, it would be highly speculative to include in a current economic analysis, a similar treatment with similar costs what would be done eighty years from now.

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SECTION 12 - WILDERNESS AND ROADLESS AREAS

ROADLESS AND WILDERNESS AREAS GENERAL

158. THE NEZ PERCE NATIONAL FOREST SHOULD PROTECT LANDS DESIGNATED AS WILDERNESS OR ROADLESS.

A. BY NOT HARVESTING TIMBER IN ROADLESS AREAS

The merits of protecting roadless lands are many, and crossing the line to log in roadless lands would set a terrible precedent. (Individual, Seattle, WA - #8.3.62100.002)

RESPONSE: Comment acknowledged.

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B. BY MAINTAINING THE MEADOW CREEK AREA AS INVENTORIED ROADLESS LAND

Not surprisingly, the DEIS claims the SFLA's identification of inventoried roadless areas has been rescinded and was under different parameters. This is a transparent attempt to surreptitiously eliminate acreage from the Meadow Creek roadless area. When was this rescinded and how was it done? (Preservation/Conservation Organization, Moscow, ID - #22.76.62110.621)

RESPONSE:

The West Meadow Creek Inventoried Roadless Area was defined in the Forest Plan and this boundary was used in this document. This is the only official boundary of that Inventoried Roadless Area. The roadless area that is depicted in the SFLA was an inventory of lands that met Regional protocols for roadless areas and this boundary will be assessed during the Forest Plan Revision process.

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159. The Nez Perce National Forest should consider reducing limitations to operate in roadless lands.

TO PROVIDE ACCESS TO TREAT AREAS IN NEED

Roadless- there are significant amount of roadless areas in and adjacent to the project. We are always concerned that limitation to operating both there and in currently unroaded areas limits access and treatment of areas in need, and authorized by the 1987 Forest Plan. (Timber/Wood Products Industry, Kamiah, ID - #5.10.62100.410)

RESPONSE: Comment acknowledged.

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160. The Nez Perce National Forest should consider potential conflicts and access limitations associated with roadless policy.

When [roadless areas limit access] conflict arises [and] it should be highlighted for the public, and risk clearly explained to higher authorities. Often roadless policy limits the best economical and environmental access options. (Timber/Wood Products Industry, Kamiah, ID - #5.11.12100.410)

RESPONSE: Comment acknowledged.

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161. The Nez Perce National Forest should accurately map and draw inventoried roadless area boundaries.

TO INCLUDE AND SHOW THE PROPER BOUNDARIES OF THE MEADOW CREEK ROADLESS AREA TO AVOID THE APPEARANCE OF LEGAL AND ETHICAL PROBLEMS IN THE MAPPING AND INVENTORYING OF ROADLESS AREAS

The DEIS claims no activities are planned for inventoried roadless areas (IRAs). However, that assumes, among others, two important points. The first is there is a

consistent map showing the IRA boundaries. The second is that the IRA boundaries were drawn correctly. Neither is accurate.

With regard to the Meadow Creek roadless area, there are two maps that show an IRA boundary. The first is the forest plan map from 1987. The second is the one in the SFLA (see map 27, SFLA, Volume II. Since this is an agency document we assume you have a copy of it. If not, we can send you a color copy of the map). The SFLA map shows land between Box Sing Creek just past Kirks Fork as inventoried roadless all the way to the BLM boundary, land in the East Fork of the American River all the way to the boundary with BLM, and some land at the head of the Flint Creek drainage that is part of the Meadow Creek IRA. It is quite clear, from our on-the-ground knowledge of the area, observation of aerial photos, and the DEIS itself that areas that this area is, in fact, roadless.

Map 1l a in the DEIS makes this point. We will comment on the adequacy of this map later.

What is important is that the SFLA map shows this area to be inventoried. Furthermore, this area should be in the inventory and its exclusion indicates ethical and perhaps legal problems with the mapping and inventories. The SFLA was an honest attempt to reflect the inventoried roadless boundaries. (Preservation/Conservation Organization, Moscow, ID - #22.75.40220.621)

RESPONSE:

The inventoried roadless areas (IRAs) for the Nez Perce National Forest were mapped during development of the Forest Plan. They are displayed in the Nez Perce National Forest FEIS, Appendix C. No harvest or road building is proposed in the American and Crooked Rivers Project within these IRAs.

The IRAs in the vicinity of the American and Crooked Rivers Project Area are displayed in maps 11a and 11b of the FEIS. The IRA boundaries used in these maps have been redrawn at a larger scale than that displayed in the Nez Perce National Forest Plan FEIS Appendix C but represent the same areas as closely as we can interpret from the small scale maps in the Forest Plan FEIS, Appendix C.

In 1998, the Nez Perce National Forest published the South Fork Clearwater River Landscape Assessment (SFLA). This document is not a decision document, but an assessment designed to frame issues and display information to be used during forest plan revision. As part of that analysis, a preliminary remapping of roadless areas was conducted using the region's "Roadless Area Inventory Protocol" from 1996. The result of that remapping effort was displayed in maps 3 and 27 of the SFLA. These maps show the starting point for a reinventory of roadless areas for consideration during forest plan revision and were not a decision to change IRA boundaries. The forest plan revision team is currently using the same protocol to reinventory current Inventoried Roadless Areas and other areas with possible roadless characteristics to create a new inventory of Inventoried Roadless Areas for analysis during forest plan revision. They are not using the precise areas displayed in the SFLA. The areas mapped using this protocol during forest plan revision will be evaluated for wilderness designation and possible roadless area management in the revised forest plan.

The SFLA did not change the IRAs. It was a first step to a re-inventory of roadless areas to be analyzed during forest plan revision. The effects to IRAs addressed in the American and Crooked Rivers Project are those to the IRAs defined in the Forest Plan FEIS, Appendix C. The analysis of affects to these IRAs and other areas with possible unroaded characteristics has been supplemented in the FEIS. That reanalysis can be found in Section 3.13. Wilderness, Inventoried Roadless Areas, and Areas with Possible Unroaded Characteristics in the FEIS.

See response to comment #21.

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162. The Final EIS should correct inventoried roadless are information for Meadow Creek.

It is clear the inventory that excludes the areas mentioned above from Meadow Creek was in error (perhaps intentionally so) and is of questionable ethical and legal standards. Various policies and regulations require high quality and honest information from agencies. (Preservation/Conservation Organization, Moscow, ID - #22.78.62110.720)

RESPONSE: See response to comment 161.

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163. The Nez Perce National Forest should use the South Fork Clearwater River Landscape Assessment (SFLA) as a guide for conducting analysis of roadless areas.

TO PROVIDE CLEAR AND HONEST ANALYSES OF ROADLESS AREAS

The DEIS claims it is using the roadless rule for analysis. Yet, that rule is in legal limbo so it stands to reason that the analysis in the SFLA on inventoried roadless area should remain. In essence, the shell game the agency is playing needs to stop and clear and honest answers need to be provided. The process undertaken in analyzing the roadless portion of the DEIS is very suspect, inconsistent, and of dubious legality. (Preservation/Conservation Organization, Moscow, ID - #22.77.40220.720)

RESPONSE: See response to comments 21 and 162.

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164. The Nez Perce National Forest should recognize legal responsibilities for protecting roadless areas.

A. BY NOT IMPLEMENTING ACTIVITIES IN THE MEADOW CREEK INVENTORIED ROADLESS AREA

The Crooked/American Project takes place in the Meadow Creek Inventoried Roadless Area (Map #27 in South Fork Clearwater Landscape Assessment, 3/1998), which is illegal. (Individual, Moscow, ID - #9.2.10400.002)

It is obvious what the agency intends to do. It wants to approve development of the Meadow Creek Roadless Area, by preparing an inadequate EIS and ROD without analyzing the impacts of the development on wilderness suitability or any other factor

affecting roadless values, and then claim in the forest plan revision those areas are not longer suitable for wilderness and drop them from the roadless inventory. Thus, the decision to destroy wilderness character would never have been analyzed and the "discovery" of the unsuitability of the area only made after the fact. That is contrary to NEPA, NFMA, and above all, a sense of public trust and integrity that the agency is supposed to have. (Preservation/Conservation Organization, Moscow, ID - #22.83.13100.621)

RESPONSE:

No part of this project occurs in the any Inventoried Roadless Area and in particular, no part of this project occurs in the West Meadow Creek Inventoried Roadless Area. In addition, see response to comment 161 and response to comment 21.

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B. BY ACKNOWLEDGING THE GOALS OF EXISTING FOREST PLANS TO PROTECT SENSITIVE HABITAT

This roadless area provides diversity and quality of habitat for fish - a primary goal of your own NP Forest Plan. It also provides habitat that contributes to the recovery of Threatened and Endangered Species - yet another goal in the NP Forest Plan. Please uphold your own Forest Plan and do what is right for the ecology of this roadless landscape by considering and selecting an alternative that meets these goals. (Individual, Moscow, ID - #9.2.10400.002)

RESPONSE:

There are not specific Forest Plan Standards for Roadless Areas in the Nez Perce Forest Plan. This project was designed to meet or exceed Forest Plan Standards. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section of the Document in Chapter three for an analysis of the impacts to Roadless Areas.

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165. The Nez Perce National Forest should comply with guidelines and regulations for analyzing impacts to roadless areas.

A. SUCH AS CONGRESSIONAL DIRECTION

The agency has clear guidelines on which to analyze and inventory roadless areas developed in RARE II and the initial rounds of forest plans. These include direction from congress in evaluating wilderness potential through legislation and various reports. In essence, it is the physical impacts of roads (real roads, not ways or jeep trail), logging or other intensive development (with some exceptions for long-past development) that removes areas from roadless inventories. (Preservation/Conservation Organization, Moscow, ID - #22.84.10400.610)

RESPONSE:

Roadless area inventory has been conducted and is used in the Forest Planning process. See the FEIS Wilderness, Inventoried Roadless Area, and Unroaded Area section in Chapter 3 for effects to roadless areas.

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B. SUCH AS REGULATORY TRIGGERS TO DOCUMENT IMPACTS FROM TIMBER HARVESTS IN AN EIS

The agency's own regulations note that "harvesting timber" in a roadless area triggers the necessity to prepare an EIS, even Wit is "in only one part of the roadless area.' (Federal Register Vol. 57 No. 152, September 18, 1992. page 43200, FSH 1909.15 Chapter 20.6(3)). While the preparation of an EIS is not the issue here, the point is logging significantly affects the undeveloped nature of a roadless area. (Preservation/Conservation Organization, Moscow, ID - #22.79.10400.621)

RESPONSE:

There are not specific Forest Plan Standards for Roadless Areas in the Nez Perce Forest Plan (USDA FS, 1987a), but all other Forest Plan Standards must be met in these areas. This project was designed to meet or exceed Forest Plan Standards, including those specific to fish and other threatened and endangered species. No activities associated with this project are proposed in the Meadow Creek Inventories Roadless Area. Please see Section 3.13. - Wilderness, Inventoried Roadless Areas, and Unroaded Area in Chapter 3 of the Final Environmental Impact Statement for an analysis of the impacts to Roadless Areas.

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C. SUCH AS APPROVED RECOVERY PLANS AND PENDING ROADLESS MANDATES IN CONGRESS

Your responsibilities are to maintain the integrity of those national forests and watersheds in your area. There are many approved recovery plans for areas already damaged. As to the damaged South Fork Clearwater watershed, I urge you to adhere to the roadless mandate now threatened in the US congress and to resist the pressures for logging. I believe you are obliged to analyze current pressures and to avoid further depletions of national forests and watersheds. (Individual, New York, NY - #29.1.10400.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Area, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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D. BY ADOPTING A DEFINITION OF 'IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES' IN ROADLESS AREAS THAT IS CONSISTENT WITH COURT DECISIONS

The DEIS claims that there are no irreversible and irretrievable commitments of roadless resources under any alternative in spite of the fact roadless land will be

logged under the action alternatives except E. The excuse is the impacts would be temporary.

The courts are clear even though this DEIS ignores the law. A decision to log a roadless area is "environmentally significant" [Smith v. US Forest Service No. 93-36187 (9th Cir. Aug. 22, 1994)] and "the decision to harvest timber on a previously undeveloped tract of land is "an irreversible and irretrievable decision' which could have 'serious environmental consequences." [National Audubon Society et al v. US Forest Service 4 F. 3d 832(9th Cir. 1993)].

Such an absurd analysis of irreversible and irretrievable commitment of resources in the DEIS turns NEPA on its head. To be consistent with this ridiculous roadless analysis, the DEIS should declare no irreversible or irretrievable loss of soils from the Mazama eruptions of 6,700 years ago because, at some future date, Mt. Hood, the Three Sisters, Rainier, Mt. Adams, or some other volcano in the Cascades will erupt and redeposit a soil ash cap. (Preservation/Conservation Organization, Moscow, ID - #22.80.13100.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Area, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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E. BY CONDUCTING SITE-SPECIFIC EIS ANALYSIS FOR DEVELOPMENT IN ROADLESS AREAS

The DEIS erroneously defers evaluation of the loss of potential wilderness from development of roadless areas. It is the Forest Service itself that set up the policy of site-specific EISs on development of roadless area in the agency appeal decisions and subsequent court decisions on the Idaho Panhandle and Flathead National Forests. In the court decision on the IPNF Forest Ran appeal, the judge concurred with the agency's argument that EISs would be prepared on development activities in roadless areas:" . . . any future development which might take place (in roadless areas) will again be determined by the Forest Service and will be subject to the requirements of NEPA." [Idaho Conservation League v. Mumma 21 E.L.R. 20666,206668 (D. Mont 1990) upheld on appeal].

The above referenced case is the result of a challenge to the forest plan's analysis/evaluation/allocation of roadless areas. The court determined that it was the site-specific decision, not the forest plan, that analyzed the impacts of development on the roadless area and was, hence, the background document for a decision on the fate of roadless areas (Preservation/Conservation Organization, Moscow, ID - #22.81.13100.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Area, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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166. The Nez Perce National Forest should not harvest timber in roadless areas.

Regarding the proposal to log in the basins of the American and Crooked Rivers - I am strongly opposed to any logging in roadless lands. (Individual, Seattle, WA - #8.1.34000.621)

A. BECAUSE OF PLANNING AND THE FOREST SERVICE LAND ASSESSMENT

The Forest Service's own land assessment indicated there should not be logging or road building in the Meadow Creek Roadless Area. (Individual, Coeur D Alene, ID - #11.4.34000.621)

There should be no logging or road building in the Meadow Creek Inventoried Roadless Area as per the Forest Service's own landscape assessment.

The cumulative impacts of this timber sale plus the Whiskey South, Meadow Face, Red Pines, Blacktail Butte, and Eastside Township timber sales must be considered. (Individual, San Francisco, CA - #31.2.34000.621)

Please amend your plan to exclude logging where roadless areas are involved. (Individual, Seattle, WA - #8.4.34000.621)

RESPONSE:

No treatment is proposed in the West Meadow Creek inventoried Roadless Area. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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B. BECAUSE IT AFFECTS CLEAN AIR AND WATER

There are resources of clean air and water that are protected when roadless forest is preserved. The damage done by logging in these areas has been researched and recorded. (Individual, Laguna Beach, CA - #20.2.34000.220)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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C. BECAUSE MEADOW CREEK IS A ROADLESS AREA

There should be no logging or road building in the Meadow Creek inventoried roadless area. Idaho does not need more roads. Why destroy our forests for greed. (Individual, Moscow, ID - #4.1.34000.621)

RESPONSE:

No treatment is proposed in the West Meadow Creek Inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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D. BECAUSE THE AREA MAY NOT HAVE BEEN INCLUDED IN PAST ROADLESS INVENTORIES

With the current uncertainty surrounding the status of roadless areas, we encourage you to avoid logging in any unroaded areas, which may or may not have been included in inventories in the past (see South Fork Clearwater River Landscape Assessment).

These areas provide many benefits to wildlife and forest health through their diversity of plant life and tree variability, whether or not they are inventoried by the Forest Service or not. (Preservation/Conservation Organization, Boise, ID - #15.136.34000.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Previous inventories were conducted to determine if areas have suitability for future Congressional designation as Wilderness. These areas are identified as Inventoried Roadless Areas. There are protocols that are used to determine whether or not the area is suitable. The West Meadow Creek Inventoried Roadless Area (#1845C) and the Dixie Summit-Nut Hill Inventoried Roadless Area (#1235) were identified as not suitable for Wilderness based on the inventory criteria. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of this FEIS for effects to roadless areas.

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E. BECAUSE USING INSECT INFESTATION AND FIRE DANGER AS A JUSTIFICATION IS CONTRADICTORY

These forests exist in natural insect and fire regimes, which select for trees resistant to both natural forces. Using insect infestation and fire safety as justifications for entering these areas is contradictory, since logging will increase the fire danger through subsequent soil and slash drying, as well as high grade the most disease-resistant trees in indiscriminate clear cutting. This squandering of natural capital for an essentially one-time harvest is characteristic of timber mining, not responsible forestry.

I would like to receive any scooping information on this project, and the draft and final EIS or EA. (Individual, Minneapolis, MN - #32.3.34000.822)

RESPONSE:

Treated areas would have short term increase in fire hazard as stated in Chapter 3, Section 3.4. – Fire in the FEIS, due to the logging slash, but this short term hazard will be abated as the prescribed burning is completed and the fuel loads lowered.

The same process of soil drying and slash accumulating is effectively taking place in the stands that are infested with the Mountain Pine Beetles. As trees are killed and the canopies opened more sunlight and wind is allowed to reach the surface to warm the soil and slash. Additionally as the trees loose their branches and/or fall over the fuel loadings are increasing to the levels of a post

harvest fuel model. These areas if not treated will also increase the fire hazard within these stands.

The difference between this process happening naturally and through treatment is that in the natural scenario this fire hazard will remain high for a much longer time. Also in the natural scenario there will be no places that will modify the fire behavior and allow for suppression actions to be safely initiated as there would be under the proposed action.

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167. The Nez Perce National Forest should not harvest timber in backcountry areas.

Why would anyone even propose to log (aka thin or mechanically remove fuels) in the backcountry in an attempt to reduce wildfires? As a logging engineer by education, I can say without a doubt that thinning is logging, mechanical fuels reduction is logging, and salvage is logging. Any time a tree (dead or alive) is felled, skidded, cut into logs, loaded, and hauled on a truck, it is logging. Whether it is small trees or large trees, burned trees or green trees, it makes no difference. I realize euphemistically, the Forest Service prefers to use the term "timber harvest" and "mechanical removal" rather than logging. (Individual, Grangeville, ID - #30.1.34000.720)

RESPONSE: Comment acknowledged

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Roadless Areas and Wilderness Characteristics

168. The Nez Perce National Forest should conduct an analysis of the impacts of timber harvesting on roadless and wilderness character.

A. *It doesn't matter that the impacts are termed temporary; any impact can be considered temporary. The lack of analysis of the impacts of logging and other development on the wild and wilderness character of the roadless area and the absence of a specific time frame for recovery proves these are no mere temporary impacts, particularly in the precise NEPA definition of temporary.*

Furthermore, the agency itself maintains logging and road building alters roadless areas and wilderness character. That is why there is a difference between roaded and roadless areas in agency policy. (Preservation/Conservation Organization, Moscow, ID - #22.87.30300.621)

Past case law is clear: EIS's are needed for roadless area development An EIS must be prepared to take a "hard look" at the cumulative impacts of allowing logging in these roadless areas. (see Kleppe v. Sierra Club 427 U.S., 390, California v. Block and Save the Yaak Committee v. Block 840 E 2d)

The cumulative effects analysis in the DEIS is no real analysis. There is no quantification of the impacts to roadless areas in terms of integrity, size, naturalness, wildness, or other roadless values. All the narrative provides is that unroaded areas

(no site-specifics are mentioned) will only be temporarily affected. No site- specific acreage numbers or locations are given, just a mention of "various intensities."

In essence, the site-specific and cumulative effects analysis does not enlighten us on the impacts to roadless areas. (Preservation/Conservation Organization, Moscow, ID - #22.85.30310.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas or in Wilderness. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of this FEIS.

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B. TO CONDUCT SITE SPECIFIC IMPACTS TO ROADLESS AREAS

What the agency is attempting to do is very deceitful. It is required to analyze the site-specific impacts to roadless areas. The DEIS claims that the analysis of development and what it might mean for the wilderness suitability of the roadless areas will be deferred in a different context. That is just opposite of what the law requires (NOTE: NFMA requires a programmatic roadless area analysis at each forest plan revision to look at wilderness potential and make recommendations in the plan, but the impacts from roadless area development must be analyzed at the site-specific level). (Preservation/Conservation Organization, Moscow, ID - #22.82.30300.621)

RESPONSE:

No treatment is proposed in inventoried Roadless Areas. Please see the Wilderness, Inventoried Roadless Areas, and Unroaded Area section in Chapter 3 of the FEIS for effects to roadless areas.

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169. The Nez Perce National Forest should protect wilderness attributes in the project lands.

A. BY ESTABLISHING CONSERVATION AND WATERSHED RECOVER PROGRAMS, DECOMMISSION ROADS, AND DESIGNATING WILDERNESS ACRES

This area presents important soil, water, wildlife, fish, plant, roadless areas and unroaded area resources. As the area contains impressive biological, scenic, and wilderness attributes, may I suggest a conservation program for all of the area's streams, with a watershed recovery plan., and to preserve all plant, fish, and wildlife habitats with a roads obliteration action schedule. I urge that each of the following areas, with acres, be designated as wilderness:

Baboon Creek (1923), Flatiron Ridge (961), East Fork American River (5102), Flint Creek (1602), Envidon Ridge (1922), Lightning Fork (1283), Big Elk Creek (5204), Elk Summit (968), Moose Creek (1126), Bean[?] Creek (2242), Rabbit Creek - Center Stand Creek (2563), Crooked river (Deadwood)(1441), Deadwood Creek - Red River (1296), Wheeler Mtn-Cole Creek (1604), Pontano Mtn (5019), Boyn Creek (720), Siegal Creek (3204), Ditch Creek (3047), Dalaria Creek (1042),

And to designate the Meadow Creek wilderness of 276,503 acres. (Individual, Minneapolis, MN - #17.1.62200.200)

RESPONSE:

No additional wilderness designation has been recommended in the current Forest Plan.

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B. BECAUSE WILDERNESS IS DISAPPEARING AND CANNOT BE VALUED IN DOLLARS

Wilderness is fast disappearing in the American west, and once gone, can never be restored. The value of these pristine stretches cannot be measured in dollars. (Individual, Laguna Beach, CA - #20.1.62200.711)

RESPONSE: Comment acknowledged.

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SECTION 13 – COMMENTS FROM THE NEZ PERCE TRIBE

Nez Perce

RECEIVED
OCT 29 2003
NEZ PERCE NATIONAL FOREST
GRANGEVILLE, IDAHO

TRIBAL EXECUTIVE COMMITTEE
P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

October 29, 2003

Bruce Bernhardt
Nez Perce National Forest
Route 2, Box 475
Grangeville, Idaho 83530

RE: Tribal Comments on the American and Crooked River Project

Dear Mr. Bernhardt:

On behalf of the Nez Perce Tribal Executive Committee (NPTEC), please accept this letter in response to your September 17, 2003 request for comments on the proposed American and Crooked River Project. Tribal staff are familiar with the project area, and attended a pre-scoping field tour with Forest staff on August 28, 2003.

The Nez Perce Tribe is deeply committed to protecting anadromous fish in the South Fork Clearwater River, including Crooked and American Rivers. This area holds tremendous cultural significance for the Nez Perce Tribe. Despite the recent history of mining, logging, and road construction that has led to diminished habitat in American and Crooked River over the past century, salmon and steelhead can still be found in these rivers. The Tribe has invested considerable resources to restore and, we hope, protect the native fisheries in and downstream from the project area. Thus, the Tribe takes a very keen interest in the Forest's proposed activities in the South Fork Clearwater River.

1. Purpose and Need

The stated purpose and need of the American and Crooked River Project is to: (1) reduce existing and potential forest fuels, (2) create conditions that will contribute to sustaining long-lived fire tolerant species, and (3) contribute to the economic and social well being of people who use and reside within the surrounding area. The Nez Perce Tribe recommends that the Forest Service consider the purpose and need of this project to include aggressive watershed restoration designed to protect the spawning grounds of endangered salmonids.

Of chief concern to the Tribe is that this project appears to be designed wholly from the perspective of economics and industrial logging. During the field tour the Tribe questioned why the Forest designed such a narrow purpose and need for a project in an area that so richly needs a gentler touch. The purpose and need should not only consist of "ecosystem health" of the forest system but the primary purpose of the project should include enhancement of critical salmonid habitat.

In principle, the Tribe is not opposed to removal of dead and dying trees from existing roads—which, at times, is what this project appears to be. However, the scoping notice suggests that the Forest is contemplating a much larger timber sale than that which was described during the public field tour on August 28, 2003. The scoping notice reveals that the Forest is proposing to construct many miles of new road construction, to utilize silvicultural prescriptions that look like clearcut logging, and to make multiple tractor entries across nearly 40,000 acres. The Forest should not propose activities which pose a great risk to these diminished watersheds.

The Tribe is concerned with the Forest's mitigation rationale discussed in the scoping notice. The project proposes to mitigate the effects of logging to at least maintain the currently low quality fish habitat in the area through an undisclosed combination of mitigation measures such as mine reclamation, soil restoration, instream fish habitat improvements, and establishment of trees to shade streams. Given the diminished state of existing aquatic conditions, the Tribe is disappointed that the Forest is placing a lower priority on these efforts, rather than putting aggressive watershed restoration efforts as a central purpose and need in the project area. If the Forest would consider the very real needs of these watersheds, then the Forest would put a priority on repairing the aquatic habitat and elevate these elements of the project beyond mere mitigation—done only to maintain habitat that is sub-standard—to the more appropriate status of purpose and need.

2. Range of Alternatives

The Nez Perce Tribe recognizes the importance of ecosystem health projects. The American and Crooked River Project appears to properly consider the removal of infested lodgepole pine and the restoration of fire resistant species. The Forest claims that this will prevent future spread of insect infestation and fire outbreaks, which may be probable outcomes of the project proposal. However, the Tribe strongly believes that if the Forest Service classifies this project as "ecosystem health" or "restoration," then the Forest must consider an aggressive watershed restoration alternative that specifically includes enhancement and protection of critical water resources. Ecosystem health necessarily includes enhancement of critical salmonid habitat. The American and Crooked River watersheds necessarily include the forest (i.e. the trees and vegetation) and the hydrologic process. Any "ecosystem health" project should include aggressive restoration and enhancement of critical salmonid habitat in the American and Crooked River watersheds.

The needs of restoring this watershed should be a driving force behind any project of this size in the project area. The Tribe would like to see the Forest analyze a reasonable range of alternatives to address the Tribe's purpose and need of aggressive watershed restoration. Therefore, the Forest should consider alternatives that take every opportunity to repair the aquatic habitat in American and Crooked River. Further, the scope of this project suggests it will require the preparation of an environmental impact statement. Cumulative effects of this project must be evaluated in conjunction with past and foreseeable future actions, as well as actions that have occurred in geographic proximity to the proposed project.

3. Noxious Weeds

As tribal staff noted during the public field tour, the Tribe is very concerned about the impact this project will have on noxious weed invasion in the project area. The Tribe questions the Forest's past and current success at limiting the spread of noxious weeds in 2000+ acre tractor logging projects, particularly clearcuts. During the field tour, staff from the Forest indicated that while weeds are a major concern in current forest management, spotted knapweed is naturalized in the project area. Such statements concern the Tribe and reveal that the Forest has no real plan to aggressively treat or prevent further invasion of knapweed. How many acres of direct weed management is undertaken each year on this Ranger District? The Tribe is very concerned about the cavalier approach taken by the Forest with respect to weeds: the scoping notice proposes treatment of noxious weed populations "where feasible." How feasible something is requires a calculus of some kind—whether something is feasible or not—all depends how high of a priority noxious weed curtailment is to the Forest. If the Forest determines that it is not feasible to remove existing populations of weeds, exactly what steps will be taken to see that additional populations are not created with the project area?

4. Soils

The Tribe is also concerned about the project's impacts to soil conditions. Just south of the Nez Perce National Forest, the Payette National Forest has done many studies of the impacts to soils from its tractor logging projects. The Payette has found that in most cases studied, they were unable to meet Regional soil standards. In many cases the detrimental disturbance after brush piling was 40% and higher—more than twice what the Region permits. The Tribe questions whether the Nez Perce National Forest can do better.

5. Water Yields

Because thousands of acres of clearcutting are proposed in this project, and because the Forest Service revealed that about 30% of the American and Crooked River watersheds are currently managed, the Tribe is very concerned about the potential for early, increased water yields. Earlier snowmelt is a result of clearcutting, which increases peak flows at an earlier time in the spring, and leaves less water available in the summer. The Tribe urges the Forest to analyze how this project will effect the rate of snowmelt and water yield to American and Crooked River. What is the current ECA in the relevant watersheds?

The Tribe is aware of a State Plan, entitled "Draft South Fork Clearwater River Basin Comprehensive State Water Plan - Part B." This plan is a result of the Forest's legal agreement with the State of Idaho not to pursue reserved water rights in key tributaries, such as Crooked and American River. This plan recommends and seeks to establish minimum instream flows throughout the year, coinciding with the different life stages of salmonids. The Tribe urges the Forest to closely analyze how this and other planned projects in the South Fork Clearwater River will complement the recommended flows in this plan.

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620 cc = 1.6

6. Prepare an EIS

As noted above, the Tribe is concerned with the Forest's management philosophy of these two important watersheds—namely that there is a very narrow purpose and need which does not address the Tribe's purpose and need of aggressive watershed restoration. The Tribe welcomes further discussions on this point. In the mean time, the Nez Perce Tribe strongly encourages the Forest to analyze its proposed action and a reasonable range of alternatives through the preparation of an environmental impact statement (EIS).

NEPA requires that an acting agency prepare an EIS for all "major federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). Preparation of an EIS in the American and Crooked River Project would serve two purposes: (1) to provide forest managers with enough information to aid in the substantive decision whether to proceed with the project in light of its potential environmental consequences; and (2) to provide the public with information concerning the project, and an opportunity to participate in the gathering of that information. 40 C.F.R. § 1502.1; *see also California v. Block*, 690 F.2d 753, 761 (9th Cir. 1982).

To determine whether the project will have a significant impact, the Forest must consider the context and intensity of its actions. 40 C.F.R. § 1508.27. CEQ regulations further define intensity as the severity of the impact:

> [The] degree to which the proposed actions affect public health or safety; unique characteristics of the geographic area such as…*ecologically sensitive areas*; the degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks; the degree that the action may set precedent for further actions with significant impacts; and the degree to which the action may *adversely affect an endangered or threatened species or its habitat* that has been determined critical.

40 C.F.R. § 1508.27(b) (emphasis added). Review of the American and Crooked River Project indicates that the project is a significant federal action. Therefore, the Nez Perce Tribe recommends the Forest prepare an EIS.

a. Unique Characteristics of the Geographic Area – Ecologically Sensitive Areas:

One factor in determining the significance of the project is the "[u]nique characteristics of the geographic area such as…ecologically sensitive areas." 40 C.F.R. § 1508.27(b)(3). The American and Crooked Rivers represent ecologically critical spawning grounds for anadromous salmonids species (i.e. steelhead trout and chinook salmon) in the South Fork Clearwater River drainage. The protection and enhancement of critical habitat is essential for the salmon, which are of significant concern for the Nez Perce Tribe and the people of the Northwest. Snake River steelhead are listed as threatened under the Endangered Species Act (ESA). These watersheds also provide critical habitat for westslope cutthroat trout and bull trout. The project will affect ecologically sensitive areas in the American and Crooked River watersheds that provide essential spawning

grounds for native salmonid species.

The Nez Perce Tribe recommends the detailed preparation of an EIS specifically focused on the effects that the American Project would have on these anadromous species. Without detailed consideration of the effects on these species, the Forest's proposed action in the project area threatens to harm this critical habitat and thwart efforts by the Tribe and other federal agencies to recover these salmonids. The project will have likely adverse effects (i.e. loss of riparian areas and barriers, accumulation of silt in streams, erosion, etc.) that may result in the degradation of critical fish habitat and water quality. Further degradation of these watersheds is unacceptable due to their significance in the spawning of native salmonids. These fish species legally demand the best protection available for their recovery.

b. Unique or Unknown Risks:

Determining significance also considers "[t]he degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks." 40 CFR § 1508.27(b)(5). From the proposal, it appears that the effects of the project are highly uncertain with respect to the risks to fisheries and watershed health. The Tribe recommends that the Forest Service prepare an EIS to better understand the immediate and cumulative risks this project will have on the critical fishery habitat in these watersheds. An EIS is needed to specifically address the treatment and mitigation the Forest Service plans to utilize to enhance and protect critical habitat. An EIS is also needed to specifically provide a plan to prevent any adverse impacts to water quality and salmonid spawning grounds.

c. Establish a Precedent:

Another factor in determining the significance is "the degree to which the action may establish a precedent for future actions with significant effects. . . ." 40 CFR § 1508.27(b)(6). The Tribe is concerned that the failure to perform an EIS for the project would establish a precedent for reducing public review and environmental analysis of future controversial projects that affect the critical habitat of salmonid species. By not preparing an EIS, the Forest Service essentially sets the precedent for not preparing EIS's in situations classified as restoration or ecosystem health projects. The American and Crooked River Project appears to be considered a restoration or ecosystem health project. These ecosystem health projects do have significant effects on the salmonid critical habitat and an EIS is needed to consider all alternatives as well as public comments concerning this project.

d. Adverse Effects on Endangered or Threatened Species:

Finally, significance is determined by "the degree to which the action may adversely affect and endangered threatened species or its [critical] habitat." 40 CFR § 1508.27(b)(9). The Tribe believes that the American and Crooked River Project will have a significant effect on the salmonid species and salmonid critical habitat. Snake

River steelhead are listed under the ESA and are a treaty-reserved resource of the Nez Perce Tribe. The right of the Tribe to fishing and protection of these species has long been recognized by the United States. "The right to resort to . . . fishing places . . . was a part of larger rights possessed by the Indians, upon which there was not a shadow of impediment. . . . " *United States v. Winans*, 198 U.S. 371, 381 (1905). To protect the Tribe's rights to this precious resource, it is essential that the Forest prepare an EIS that thoroughly considers the adverse effects the project will likely have on salmonid species and their critical habitat. Thus, the Tribe strongly recommends that the Forest Service prepare an EIS.

7. Clean Water Act

Under the Clean Water Act, the South Fork Clearwater River is a 303(d) listed water quality limited stream for sedimentation and temperature. A draft TMDL has been issued, and calls for a 25% reduction (from existing conditions) in sediment generated by human activity. While the draft TMDL does not quantify sediment reductions in the key tributaries, common sense dictates that this is where the reductions must occur in order to meet the goals of the TMDL. The Tribe urges the Forest to closely analyze the likely sedimentation of this project and to lay out a strategy for how this project implements the draft TMDL's goal of a 25% reduction in sediment, particularly in light of other present and ongoing activities planned in the South Fork Clearwater River.

8. Cumulative Effects

As noted throughout this comment letter the Tribe is concerned with the project's likely adverse effects to diminished fisheries and watershed conditions. The American and Crooked River Project is just one of four known largescale projects within the South Fork Clearwater River: Whiskey South (BLM), Red River Salvage, and Red Pines. The cumulative effects of this large scale timber harvest will unquestionably have adverse cumulative effects to aquatic integrity within the tributaries and downstream to the South Fork Clearwater River. The Forest must closely analyze the cumulative effects of each of these and other past, present, reasonably foreseeable future activities of private, state, and federal agencies. This analysis must also include an aquatics analysis of private timber operations and livestock grazing.

Sincerely,

Anthony D. Johnson
Chairman

United States Department of Agriculture **Forest Service** **Nez Perce National Forest**
Route 2, Box 475
Grangeville, ID 83530
208 983-1950
208 983-2280 TTY

File Code: 1950-1
Date: April 6, 2004

Honorable Anthony Johnson, Chairman
Nez Perce Tribal Executive Committee
Box 305
Lapwai, ID 83540

Dear Chairman Johnson:

In the interest of government-to-government consultation and cooperation, this letter is intended to update you on the progress being made with the Draft Environmental Impact Statement (DEIS) for the American and Crooked River Project and to express my desire to engage in further coordination relative to the project. The principal focus of this letter will be on the correspondence we received from you dated October 29, 2003 at the beginning of the project development.

First, I want to express my sincere appreciation for the involvement and communication from your staff, particularly Ira Jones, Scott Althouse, Stephanie Bransford, and Dave Johnson. Their efforts have increased our awareness and understanding of Tribal perspectives and concerns, particularly your deeply held conviction to protect and restore the anadromous fish of the South Fork Clearwater River.

Background
Over the course of last summer and fall, field crews conducted surveys and investigations within and surrounding the project area for the purpose of defining fish and wildlife habitat, watershed and headwater conditions, culvert and stream crossing improvement needs on existing roads, vegetative conditions and trends, cultural resources, sensitive plant locations and protection strategies, and weed population locations and associated risks among many other things. Nez Perce Tribe crews, under the supervision of Stephanie Bransford, conducted culvert surveys in Crooked River last summer, as well, and furnished valuable information, which helped us identify watershed improvement opportunities.

Based on this information, the project area was defined and the nature and purpose of the project was framed. Prior to developing the project proposal, the Forest invited Tribal representatives to take part in a field review of the area to discuss issues and conditions leading to the need for a proposal. Mr. Jones and Mr. Althouse participated. Shortly following the field trip, the proposed action was made available to the Tribe for comment.

Since we received your comments on the initial proposal, our interdisciplinary team has been busy considering your comments, in detail, while developing alternatives to the original proposal and analyzing the effects of those alternatives. I believe I can now shed some light on how the project is progressing with respect to the issues raised in your letter.

Purpose and Need and Range of Alternatives
The Forest Land and Resource Management Plan provides the overarching management direction, including standards and guidelines for achieving fish and water quality objectives. In addition, our interest in respecting the Nez Perce Tribe's treaty rights, according to policies outlined in the Forest Service Manual (FSM 1563), combined with Clean Water Act and Endangered Species Act considerations would move this project to include a substantial component of water quality and fish habitat improvement actions. We are proposing our action within this context. All action alternatives for

the American and Crooked River Project are being developed with restoration that would go beyond merely maintaining existing water quality and fish habitat conditions. While the amount of restoration and habitat improvement varies by alternative (some being more aggressive than others), each of the restoration proposals would treat a range of factors that are currently limiting water quality and fish habitat.

The interdisciplinary team was instructed to address the project objectives in a manner that would limit risks to watershed and wildlife resources. Although the amount of management activity varies by alternative, none of the alternatives being considered in detail in the DEIS would involve harvest units or fuel treatment units within Riparian Habitat Conservation Areas (RHCA's) or high hazard landslide prone areas. There is no permanent road construction proposed. There would be no harvest or road construction planned within old growth areas or inventoried roadless areas. All roads would be temporary and would be removed promptly following use on this project. Temporary road construction and removal would occur as a condition of the implementing contracts associated with the project, i.e., the timber sale and/or stewardship contracts. Temporary roads would be located to minimize effects on RHCA's and would involve few, if any, live stream crossings.

I understand that these watersheds are vitally important to many people, and particularly important to the Nez Perce Tribe and its members. While meeting project objectives, our intent is to respect treaty resources and provide substantial opportunities for watershed and fish habitat restoration.

Noxious Weeds

Approximately 300 acres of priority weeds were treated on the Red River/ Elk City Ranger District during Fiscal Year 2003. As you are aware, the Nez Perce National Forest is involved in a community-based weed strategy for the Clearwater River Basin. This community-based partnership has developed objectives and priorities for weed management in the basin. The partnership includes local counties, state and federal agencies and the Nez Perce Tribe. The Forest weed management program is integrated with the Clearwater Basin Weed Management Area focus. Neither the Clearwater Basin Weed Management Area Steering Committee nor the Nez Perce National Forest view spotted knapweed as naturalized in the Clearwater Basin. One of the priorities for the South Fork Clearwater River area is to eradicate satellite infestations of invasive plants including knapweed.

The Forest is currently analyzing the project area in relation to invasive plants. This analysis includes current infestation, habitat susceptibility, risk of spread, and mitigation measures for the project.

Soils

We share your concern for potential detrimental soil disturbance in this project. Since more than half of the acres to be treated are on slopes less than thirty-five percent, and are planned for harvest and slash disposal using ground-based equipment, care must be taken to design and administer these operations to keep soil disturbance within the parameters identified in the Forest Plan. The interdisciplinary team has been instructed to develop adequate measures and mitigation to protect the soil resource. These measures will be identified and analyzed in the DEIS. as part of the restoration package. In addition, the DEIS will analyze options, as part of the restoration package, to restore soils that may remain in a detrimentally disturbed condition from past activities.

Water Yield

The American and Crooked River watersheds comprise approximately 104,000 acres, total. This project proposes to create clearcut-type openings on between 600-1200 acres, depending upon the alternatives being considered. This is a very small percentage of the watershed acres. There would be an additional 1000-1800 acres of partial canopy removal. We consider water yield at a variety of scales. Our initial review indicates the proposed activities will be below thresholds of concern, overall, within the two

watersheds regarding timing and quantities of water flow. We are assessing the potential for exceeding any thresholds of concern at the sub-watershed level (Forest Plan Prescription Watersheds), as well, including cumulative effects with other planned actions in the area. The interdisciplinary team is considering the existing stand conditions, including previously harvested areas, in making their analysis of water yield.

Preparation of an EIS

The American and Crooked River watersheds are important for their high values to anadromous and resident fish, as well as other wildlife species. Considering the rationale you presented in your letter in addition to comments received by others, the Forest is preparing an Environmental Impact Statement for the American and Crooked River Project.

Clean Water Act

The project will strive to conform to State of Idaho water quality requirements in effect at the time the Record of Decision is issued, including TMDL's. In order to meet the Forest Plan standards, the project would produce an upward trend in fish habitat and water quality conditions as a result of the combined effects of all planned activities. This will result in, among other habitat improvements, a net decrease in sediment yield from the affected sub-watersheds within the project area and from the project area as a whole.

Cumulative Effects

Our cumulative effects analysis will take into consideration a long list of actions that have occurred, are currently active, or are reasonably foreseeable on the federally managed lands as well as on the private lands in the upper South Fork Clearwater River. These projects include Whiskey South, Red Pines (this project now includes Red River Salvage), and Eastside Township Project (new BLM proposal).

Funding for Habitat Restoration

Although you did not mention this topic in your letter, the question of how we plan to fund the habitat restoration component of this project has come up several times in discussions with representatives of the Nez Perce Tribe. At this time, I can only share the funding mechanisms we plan to pursue since it is premature to commit to funding of restoration until the NEPA planning phases of the project are complete and we know the costs involved. A range of restoration alternatives is being considered with differing costs and effects. Also, the various types of implementation contracting that may be used, such as stewardship, service, or timber sale contracts, offer differing options to apply funds generated toward restoration activities. In general, we plan to pursue the following funding sources:

- Appropriated funding for restoration is being requested for fiscal year 2005 and beyond through the earmarks and reserves process, which is part of the Regional Office, program and budget planning process. We currently are preparing a request for American and Crooked River as well as Red River, which will be submitted in early April.
- As the project gets closer to becoming final, I plan to work with the North Central Idaho Resource Advisory Committee to seek financial support for restoration.
- We are designing road improvements and decommissioning of existing roads to occur and be paid for as part of the action where such roads would be used for hauling or removing products from the land.
- Where product values would exceed costs for logging, fuel treatments, reforestation, removal of temporary roads constructed for the purposes of the action, etc. (we are closely watching the efficiencies of these measures), we will consider the option to use stewardship contracting which would allow us to direct generated funds toward restoration activities.

- In the process of completing the project proposal, we would likely approve an array of restoration projects that would be over and above what is considered as mitigation. We believe such projects would compete well for BPA funding or other grant funding sources.

Finally, I want you to know that your letter and our subsequent contacts with Tribal representatives have been helpful to our team in developing alternatives to the original proposed action. Your efforts to engage in the development of this project are deeply appreciated. If you or any of the Tribal subcommittees or staff wish to discuss the project in greater detail either prior to the release of the DEIS or shortly thereafter, please let me know. Our current schedule would produce a DEIS in about a month. In the mean time, our project leader, Phil Jahn, will continue to work with the Tribal representatives mentioned previously.

Sincerely,

/s/ Bruce E. Bernhardt
BRUCE E. BERNHARDT
Forest Supervisor

cc: Natural Resources Subcommittee
David Johnson, Fisheries Department
Ira Jones, Watershed Department
Regional Forester

Nez Perce

TRIBAL EXECUTIVE COMMITTEE

P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

July 21, 2004

American and Crooked River Project
Nez Perce National Forest
Attn: Phil Jahn
Route 2, Box 475
Grangeville, ID 83530

Sent via email to: comments-northern-nezperce@fs.fed.us

RE: Tribal Comments on the DEIS for the American and Crooked River Project

Dear Phil:

On behalf of the Nez Perce Tribe, thank you for coming to Lapwai on Tuesday, July 6, 2004 to meet with the Natural Resources Subcommittee and conduct a government-to-government consultation for the American and Crooked River Project (the Project). As you know, tribal staff have been in close coordination with you on this Project, first by attending a public field tour last summer, then by reviewing and commenting on the scoping proposal,[1] and through continued discussion with you throughout the development of this Project. The Tribe truly appreciates your diligent efforts to consult with us on this Project. The South Fork Clearwater River is a critically important area where tribal members routinely exercise treaty rights to fish, hunt, camp, and gather. The Tribe urges you to evaluate this and all other projects on the impacts to treaty reserved resources and their habitats.

Project Design

The Tribe understands that the Forest designed this Project in a fashion that avoids timber harvest in old growth areas and in inventoried roadless areas, and is designed to minimize impacts to riparian habitat conservation areas (RHCAs), while avoiding high hazard landslide prone areas. In those respects, the Tribe views this Project as an improvement over recent projects where the Forest has proposed risky land management in these sensitive areas, justified by faulty modeling and biased analysis. Fulfillment of the Forest Service's trust responsibility to protect treaty reserved resources occurs on the ground, not through justification or analysis on paper. Therefore, the Tribe is encouraged by the design of this Project and we encourage you to

[1]The Tribe's scoping comments are incorporated herein by reference.

use a similar or more protective approach for all future projects on the Forest. However, in light of all activities planned along the South Fork of the Clearwater River, the litmus test for tribal support of this Project will be whether implementation provides an upward trend in water quality and fish habitat as required by the forest plan for the Nez Perce National Forest.

Cumulative Effects to the South Fork Clearwater River

As we discussed in our meeting on July 6, the Tribe remains vitally concerned about the cumulative effects that continued logging and road building has on water quality and fish habitat in the South Fork Clearwater River. As you know, our Fisheries Department has made substantial investments in watershed restoration throughout the South Fork, and conducts numerous outplantings of salmon and steelhead from our Newsome Creek satellite facility associated with the Nez Perce Tribal Hatchery.

The Tribe was also a key player in the development of the TMDL for the South Fork Clearwater River. The TMDL sets specific sediment reduction targets for the upper South Fork. Unit 36, which is the uppermost unit listed for the South Fork and includes American River, has a sediment load reduction target of 25%. This unit is directly upstream of the mouth of Crooked River. Unit 30 is the segment below the mouth of Crooked River to Ten-mile Creek and also requires a 25% reduction in sediment. Although the TMDL does not call for specific reductions of sediment in specific tributaries to the South Fork, clearly that is the Tribe's expectation and it is the only practical way to achieve the sediment reduction targets of the TMDL.

With numerous timber sales and road building being planned along the South Fork by the Forest Service, the Bureau of Land Management, and by private industry, the Tribe remains concerned about how this Project meets the requirements of the TMDL. In contrast, the extensive land management proposals along the South Fork will inhibit this critical watershed from recovery of excess sediment and high temperatures. Under the TMDL, the American River unit #36 is in violation of the maximum weekly mean temperature standard. Although no specific temperature reduction targets are set, the TMDL sets shade targets as a surrogate measure for temperature. Yet the extensive logging and road building proposed by this Project and other projects along the South Fork will further retard the attainment of riparian management objectives (RMOs) in sensitive riparian habitat conservation areas (RHCAs). Such management inhibits the watershed from recovery by maintaining high temperatures and limiting recruitment of large woody debris.

Maximum Watershed Restoration

The Tribe urges the Forest Service to adopt an action alternative that is gentle on the land scape and maximizes watershed restoration in an aggressive manner. American River and Crooked River are two important watersheds that support dwindling populations of salmon and steelhead. These two watersheds are also primary sources of sediment to the South Fork Clearwater River. Therefore, any management undertaken by the Forest Service should focus on an aggressive plan to reduce sediment and recover these watersheds and improving habitat for threatened fisheries. Review of the DEIS indicates that Alternative E proposes the most watershed restoration opportunities. Therefore, the Tribe urges you to implement Alternative E.

Contracting Mechanisms and Tribal Participation

As was expressed at the Subcommittee meeting, the Tribe is very interested in participating in the implementation and monitoring of the watershed restoration work identified in Alternative E. As you know, our Watershed Division has a strong record of working with the Forest Service on watershed restoration projects such as road obliteration, culvert replacement, riparian plantings, and watershed monitoring. We would like to expand our partnership throughout the Project area.

We understand that the Forest Service is actively considering using the stewardship contracting authority to implement this Project. To that end, we are aware of two stewardship workshops that you are planning for July 22 and 23. Tribal staff will attend. However, it is unlikely that the Tribe would be a primary contractor for this Project; therefore, we urge you to help us identify opportunities for tribal implementation of the watershed restoration work and monitoring.

Fireproofing Elk City

The Tribe remains concerned about the purpose and need for this project. One rationale is to reduce the risk of a catastrophic wild fire to the surrounding community of Elk City. However, review of the DEIS reveals that the proposed timber units are pretty far away and therefore unlikely to reduce the fire risk to Elk City. A second rationale for the Project is to address the pine beetle infestations in the lodgepole stands. Dead, dying, and at risk stands are proposed for harvest. The Tribe remains skeptical about the need to treat such stands, as fire and insect infestations are part of the natural stand replacement cycle for lodgepole pine, and these watersheds are well within their historic range of variability.

Conclusion

The Tribe questions how the Forest Service can meet its trust responsibility to protect treaty reserved resources and their habitats when there is currently planned well over 100 mmbf of timber sales and 50 miles of new roads in the South Fork Clearwater River. These projects place unnecessary and cumulative risks to already threatened fisheries and impaired water quality. We urge you to take a hard look at the sedimentation effects of this and all other projects across the entire watershed, not just in the specific tributaries of American and Crooked River.

Sincerely,

Anthony D. Johnson, Chairman

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File Code: 1950-1
Date: November 19, 2004

Honorable Anthony Johnson
Chairman
Nez Perce Tribal Executive Committee
Box 305
Lapwai, ID 83540

Dear Chairman Johnson:

Continuing our government-to-government consultation regarding the American and Crooked River Project (the project) on the Nez Perce National Forest, I am writing to provide an update and offer some thoughts regarding the issues and concerns you raised in your July 21, 2004 letter.

Since our last letter to you on this subject in April (enclosed), your staff, particularly Ira Jones, Scott Althouse, and Dave Johnson remained engaged in the project and offered many valued observations and suggestions that have strengthened the project. For this, I am deeply appreciative. We also gained valuable insights from our meeting with the Natural Resources Subcommittee in July, when we presented our Draft Environmental Impact Statement (DEIS) for the project. It is my desire that we schedule an additional meeting with the Subcommittee or with NPTEC in early December to further discuss our proposal prior to issuing the Final EIS and Record of Decision.

The Nez Perce Tribe and the Forest share many common goals for managing the resources of the South Fork Clearwater River. We share a history of working together to achieve those goals. Recent examples include completing the Newsome Creek Watershed Assessment, our joint submission of restoration proposals to the Idaho Office of Species Conservation, our cooperative restoration efforts in Newsome Creek, Meadow Creek, Mill Creek, and upper Red River, working together to complete subbasin assessments for the Salmon and Clearwater Rivers, joint participation in the South Fork Clearwater River Watershed Advisory Group, joint participation in the Clearwater Basin Weed Management Partnership, and our mutual efforts to implement the satellite components of the Nez Perce Tribal Hatchery. The Forest recognizes the critical importance of the South Fork Clearwater River (SFCR) and its resources to the members of the Nez Perce Tribe who routinely exercise treaty rights in the area.

With this perspective, I will address the following issues and concerns you brought to my attention in your letter dated July 21, 2004.

Project Design
Much of the area surrounding Elk City, including the American and Crooked River watersheds, is experiencing a rapid and extensive die-off of mature lodgepole pine due to the mountain pine beetle. This is resulting in substantial increases in hazardous forest fuels and losses of potential economic value in the trees that are experiencing mortality and deterioration. The purpose of the

project is to reduce existing and potential forest fuels, create conditions that will contribute to sustaining long-lived fire tolerant tree species, and contribute to the social and economic well-being of people who use, and reside within, the area.

The project uses timber harvest to accomplish fuel reduction. The project also includes a robust restoration component, designed by our watershed and fisheries resource specialists, which will result in a long-term improvement in water quality and fish habitat when combined with the following design elements that limit overall risks to aquatic resources.

The project would not treat fuels, harvest timber, or construct temporary roads in old growth areas, inventoried roadless areas, riparian habitat conservation areas (RHCA's), or areas with landslide prone characteristics. Widely dispersed temporary road spurs, generally shorter than three quarters of a mile in length and located on stable sites, would be used to access units and landings, where necessary, then obliterated shortly after the intended uses. There would be no permanent roads constructed with this project.

The American and Crooked River Project planning team put a great deal of effort into designing this project to recognize the importance of watershed restoration and balance fish and wildlife needs with the other purposes of the project. We appreciate the positive tone of your comments regarding project design.

In your letter, you encourage the Forest to, "...use a similar or more protective approach for all future projects on the Forest." Since receiving your letter, I have instructed the Red Pines interdisciplinary team to apply a similar framework of design features to that proposed project in the upper SFCR in order to provide a reasonable expectation that an upward trend in water quality and fish habitat can be achieved for the Red River watershed.

Cumulative Effects to the SFCR
Our consultation efforts with the Nez Perce Tribe as well as others who commented on the DEIS have resulted in a much more comprehensive evaluation of cumulative effects. We are analyzing the effects of past and ongoing activities in as much detail as our records allow in addition to evaluating anticipated effects from proposed projects that we believe are reasonably foreseeable. The geographic context of this analysis is the entire SFCR drainage, as suggested in your letter.

Cumulative effects are a major concern to us. Fish habitat in these watersheds is functioning below estimated natural potential, due in part, to residual adverse cumulative effects of past activities that have occurred over the past century. The project addresses existing limiting factors related to past activities, through restoration, which would result in more rapid fish habitat recovery than would likely occur through natural processes.

State of Idaho Water Quality Standards, Total Maximum Daily Load (TMDL)
The long-term effects of this project on sediment and temperature are positive. Planned watershed restoration activities would reduce sediment in all watersheds and would maintain or reduce temperatures. The project would maintain or improve existing shade and potential for large woody debris recruitment through avoidance of vegetation treatments and temporary road

construction within RHCA's and by planting trees and shrubs along stream reaches where existing vegetation and shade is sparse.

On September 30, the Forest received a letter from the Idaho Department of Environmental Quality regarding the project stating, "The information contained with in the DEIS appears to be consistent with the intent of this TMDL and the agreement between State and Federal Agencies regarding impacts to this water body."

Maximum Watershed Restoration
Consultation with the Tribe and others who commented on the DEIS, indicated strong support for increasing emphasis on watershed restoration within the project. Based on this response, I intend to increase the emphasis on restoration. Our economic analysis indicates that potential revenues generated from Alternative D, of the DEIS, would be sufficient, under stewardship contracting authorities, to implement most of the restoration component of Alternative E if timber harvest involving the lodgepole stands can be accomplished before insect mortality progresses to the point that economic value is lost. Considering these factors, I am developing a Record of Decision that would maintain, as a requirement, the full amount of restoration identified in Alternative D and authorize implementation of additional watershed restoration activities, as identified in Alternative E, depending upon availability of funds.

Contracting Mechanisms and Tribal Participation
I view the American and Crooked River Project, when approved, as an opportunity to expand our partnership in watershed restoration. I intend to use stewardship contracting authorities to implement portions of the project. During late winter and early spring, 2005, the Forest will be compiling the information necessary to develop a stewardship contract that focuses on Crooked River. Following that, we will evaluate additional stewardship contracting opportunities in the area, including the American River portion of this project.

I hope that representatives from the Nez Perce Tribe who attended our stewardship contracting workshop in July found it to be informative and helpful in understanding possible roles for the Tribe in such endeavors. I believe the Nez Perce Tribe has much to offer in the areas of reforestation and watershed restoration. My staff and I will continue to explore opportunities with you and others who may be working in partnership with us.

Fireproofing Elk City
Through coordination with Idaho County, we have identified several communities and/or residential areas in the vicinity of the project where fuel reduction is a priority (reference enclosed letter from Idaho County). This priority is being addressed by the American and Crooked River Project and by smaller defensible space projects that have been approved or are being planned. Treating and removing hazardous forest fuels in order to reduce the risks to life, property, and resources, in the event of a large fire, is among the objectives of the project. Risk reduction would be accomplished by reducing hazardous fuels accumulations in community protection areas and other strategic areas and by creating vegetation patterns that would have the effect of lowering the potential fire behavior within treatment areas. The result of lower potential fire behavior would be increased fire suppression and management effectiveness and

improved fire fighter safety. The intent of this project is to reduce the potential risks of large fires in the project area, not to "fireproof" Elk City.

Although large-scale, stand-replacing fires are a part of the natural landscape in the Elk City area, it is currently unacceptable, socially and politically, to allow such fires to threaten communities and residential areas that have become interspersed within this landscape. Current management direction under the Forest Plan and Forest Fire Management Plan requires aggressive suppression response to control all wildfires in the project area. I do not expect this policy to change in the foreseeable future.

In summary, this project has been designed and modified through consultation with the Nez Perce Tribe, NOAA Fisheries, the US Fish and Wildlife Service, the Idaho Department of Fish and Game, and the Idaho Department of Environmental Quality to maintain or improve water quality and to limit the potential for short-term incidental losses of ESA-listed anadromous fish and bull trout. The project would create aquatic habitat conditions for long-term increases in abundance of these species. It would also create upland habitat conditions that are projected to maintain or improve populations of big game species in the area. Additionally, this project would not impose any restrictions on traditional access rights of Nez Perce tribal members or restrict, in any way, tribal members' abilities to continue exercising the full range of treaty rights in the project area over the long term.

I appreciate the efforts of your representatives who have worked with us through the planning phases of the project and I am committed to pursuing any potential partnership opportunities between the Nez Perce Tribe and the Forest that this project would create.

Sincerely,

/s/ Steve E. Williams
STEVE E. WILLIAMS
Acting Forest Supervisor

ALICE ANTTSON, FIRST DISTRICT
KOOSKIA, IDAHO

PAT HOLMBERG, SECOND DISTRICT
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November 17, 2004

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GRANGEVILLE, IDAHO

To: Steve Williams, Forest Supervisor

Dear Mr. Williams:

The Idaho County Commission would like to voice its support for the American and Crooked River Project. You have provided the Draft Environmental Impact Statement for our review and we have discussed, with the project manager, modifications to the draft that are being developed to emphasize community protection priorities.

We believe this project would contribute to the social and economic well-being of the county by reducing potentially catastrophic risks to life and property from the buildup of hazardous fuels that could affect residential and commercial developments in the Elk City area. The activities associated with the Preferred Alternative (D) such as logging, reforestation, and watershed restoration would also contribute direct economic benefits in the form of a diversity of jobs, commercially valuable wood products, and improved fish and wildlife habitat conditions which will enhance recreation in the area.

We also believe it is appropriate that community protection areas are identified surrounding each of the residential areas and communities in the vicinity of the project and that major roadways servicing these areas be maintained for safe and efficient evacuation, in the case of emergency. We recommend you proceed with specific identification of the Ericson Ridge, Upper American River, and Gnome Town-site residential areas as well as the community of Orogrande as communities-at-risk, in the project area, from large scale wildfire. It is extremely important that priority be given to hazardous fuel reduction within a minimum of one and one-half miles of these communities and residential areas.

Our May 2003 Wildfire Mitigation Plan identifies a three mile community protection area around the town of Elk City to protect several additional outlying residential areas as well as Elk City, itself. This plan also identifies the specific evacuation routes that we expect you to consider.

We agree that your proposal for the American and Crooked River Project is a much needed step in the right direction. However, the County is concerned with the safety and well-being of its residents and may find it necessary to add additional community protection areas and/or expand those already identified as we continue to consider the risks associated with hazardous forest fuels.

Thank you for the opportunity to provide comments on this important project.

George Enneking

George Enneking
Idaho County Commissioners

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